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ABSTRACT

Papers from a conference on translating and interpreting include: "Babel and the Brain" (Philip Grundy); "Simultaneous Interpreting: Its Role in International Conferences" (Yvonne Hu); "The Past, Present and Future of Legal Interpreting/Translating in NSW" (Ludmilla Robinson); "What's In a Name?" (Terry Chesher); "Interpreting and Advocacy" (Colin Yallop); "Interpreting and Translation Services of the Ethnic Affairs Commission" (Grace Dawson); "DIEA's Translating and Interpreting Service (TIS)" (Carol Hunt); "The Future of the Interpreting and Translation Professions" (Mike Nasir); "The Advantages of Formal I/T University Training" (Trang Nguyen); "Literary Translation: A Personal Perspective" (Madeleine Strong Cincotta); "English Collocation: A Translator's Problem" (Frank Trinh); "Subtitling" (Felicity Mueller); "Australian Sign Language--Current and Future Trends" (Peter Bonser); and "Accreditation and Registration in the Future" (Skender Bregu). (MSE)

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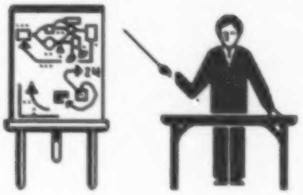
Proceedings of the conference

The future of Interpreting & Translation



Keeping in Touch With a changing World

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held at the University of Western Sydney, Macarthur

on Saturday, April 1, 1995

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PREFACE

It is with great pleasure and satisfaction that I present the proceedings of the First Annual Macarthur Interpreting and Translation conference: **"The future of Interpreting and Translation: Keeping in touch with a changing world"**, held at the University of Western Sydney - Macarthur, on 1 April 1995.

In previous years the CITEAAs had provided a forum for educators and practitioners of Interpreting and Translation (I&T); however, after the unofficial demise of CITEAA, the staff of the Division of Languages and Linguistics at UWS-Macarthur became increasingly convinced that an annual conference to discuss I & T issues was long overdue. Given that our university is the only one in NSW to offer a B.A. in I & T accredited by NAATI, we thought it appropriate to take the initiative. to give life to what we hope will become a successful annual event.

The conference aimed to provide a forum for discussion, to raise the profile of the profession in NSW, to focus on its future, particularly in light of the 2000 Sydney Olympics and the growing tourism and hospitality industry, and to disseminate information about I&T training and employment – aims that I believe were achieved. Our first conference publication entitled *Macarthur I/T Information Manual* was distributed to all participants.

Over 150 people attended the conference, with representatives from the major employers, practitioners, educators, students and lawyers. The conference papers covered topics such as international interpreting, legal interpreting, interpreter and translator employment, education and training, accreditation and registration, subtitling and sign language interpreting.

The enthusiasm shown by all participants, the high quality of the papers presented and the increasing interest in the profession by other disciplines, are evidence of the success of the conference and show signs of an ever growing professional maturity across the field in Australia. While our university has been offering the Bachelor of Arts (I & T) for over ten years, the recent introduction of our post graduate courses has meant the field is increasingly generating local research and so is maturing academically as well.

After the encouraging success of the first conference, I am pleased to announce that our 2nd Annual Macarthur I&T conference, **"Research, Training and Practice"**, will be held on 29-30 March 1996.

In closing, I would like to thank all those who participated in the conference, without whose contribution this publication would not have been possible.

Sandra Hale
Conference Convenor

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Proceedings of the conference

The future of Interpreting & Translation

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Compiled by: Luciano Ginori
Edited by: Dr. George Saunders

BABEL AND THE BRAIN

Keynote address by Philip Grundy, OAM

In 1945 the Second World War was nearly over. The allies were determined to demand the surrender of Japan. When the news reached Tokyo, there were many, including the emperor, who were surprised at the mildness of the terms being offered, and they recommended that the ultimatum be accepted. However, there were reasons why an immediate decision could not be made, and it was agreed by the Japanese cabinet to delay matters for a day or two. But word was out and the Japanese Prime Minister had to face the press. The word he used to speak of the cabinet's indecision was, unfortunately, ambiguous. It could mean *to delay consideration*, but when Japanese translators hurriedly rendered it into English, they chose the other meaning and informed the world that Japan was *ignoring* the allies' ultimatum. The allies responded by dropping the atomic bomb, and the rest - as they say - is history.

Will anybody after that aver that translation doesn't matter?

Jump fifty years forward. When Mr Keating accused Dr Mahathir of recalcitrance, was it really worth all the fuss - or did perhaps the Malay word used to translate that remark carry more pejorative overtones than the English word, and notably the English word as used by an Australian?

These, of course, are dramatic examples, but they could be repeated with variations a million times in the ordinary commerce of human communication. We all know how the sheer volume of communication has increased over recent years with the proliferation of computers and the software to use on them. The literature on the subject constantly uses the word "information" - but I wonder how much of it really is information. I mean, does it actually inform, or is it rather a massive collection of bits and bytes, the meaning of which may only really be known by its generators?

We are, so to speak, being shouted at day and night by a million voices. How are we to select and attend to the one we want to hear? And from the other side of the process, how is the generator of this electronic noise to ensure that it conveys the message he wants to send to the people he wants to receive it and in a form that they can understand?

To answer the last part of the question, there is obviously going to be a failure in communication if there are no interpreters and translators. This is important to the politician, who wants the intentions and decrees of government to be received and understood by all the inhabitants of a given country, in an age when more and more countries are becoming significantly multilingual - as is our own. But it's also important to the merchant or the manufacturer. What, in these days of global markets, is the use of producing yet another detergent unless you can assure potential users in their own language that it washes whiter than white?

The old myth of the Tower of Babel is still a telling one. It's paralleled in other ancient mythologies, but let me remind you of the form it takes in the Book of Genesis. In the beginning, everyone spoke the same language. This enabled them to bake bricks and for them to build buildings and towns. Eventually, they built a tower reaching towards heaven. At that point, God decided they were getting too uppity. "This", he said," is but the start of their undertakings. There will be nothing too hard for them to do". So, says the writer of this part of Genesis, God confused their language so that they could no longer understand each other and he scattered them across the earth ... and they stopped building the town. It seems to me that the myth got it right. The understanding of language is critical to co-operative human endeavour, including especially in science and technology. Once that understanding is in place, human beings can make bricks and build the town - there is nothing they can't do! Take that understanding away, and they are powerless. Thus to the ancient Hebrews, God acted out of a motive of self-protection. Only by destroying unity of language could he prevent his own creatures from becoming his rivals.
And who is there to restore that unity? Well, we language teachers like to think we're doing our bit; but it's only a bit. It seems highly unlikely that the unity of language can ever be restored. But it can, at least in part, be overcome. It needs interpreters and translators to bridge the gap. And once that gap is bridged, humanity can at least begin again the slow, patient work of restoring its own unity.

So the task of the translators and the interpreters is obviously an important one, and I believe it can also be a noble one.

To descend, however, from these speculative heights, I have to say that I want to sound a word of warning, though no doubt it will be sounded again and again by other speakers today. The title of this conference links interpreters and translators, and clearly the two have much in common, not least a training which shares many elements. However, they are by no means the same thing and the fact that people often speak and act as if they were has frequently led to confusion and even disaster.

I myself can claim a modest reputation as a translator, but there is no way I would ever set myself up to be an interpreter. Similarly, one of the best interpreters I know is quite hopeless when she attempts to translate. Yet both of us have experienced blank incomprehension when we try to explain this to the uninitiated. I have been asked to interpret and she to translate and people have been puzzled and hurt at our refusal.

This isn't a subject I want to go into at any length. It's a question of objectives, of time, of resources, of abilities and so on. I just want to sound the warning at the beginning so that this conference gets off on what I would think is the right foot.

Similarly, I've spoken of the need for translators and interpreters and have tried to present a somewhat elevated - and deservedly elevated - account of their role in society and in the world. To be sure, such a calling demands people who are professional in the best and highest sense. And it's entirely appropriate that the training for such a high calling should be in the hands of a university. I see that many speakers will be talking of career prospects for translators and interpreters. It's very encouraging that there seems now to be such wide scope for professional employment, but I have to say that in some quarters the professional status of practitioners is not recognised.

There are far too many people who regard translators and interpreters as mere hacks - and pay them accordingly. But there is worse to come. These are the only professions I know of whose standards of practice and whose accreditation procedures, with the implicit licence to practise, are controlled not by the profession itself but by anonymous bureaucrats whose knowledge of the professional task, if it exists at all, is purely serendipitous. I don't want to do more than raise this matter and hope it gets discussed later, but it's something I feel very strongly about. When I raised it at a meeting a few years ago, I was told by one gentleman that the organisation he headed was not a bureaucracy. Nor is it, if by bureaucracy you mean part of the public service; but who ever suggested that bureaucracy was unknown to the private sector? I was also reminded that the difference between translators and interpreters on the one hand and, say, town planners on the other, was that the latter are taught at universities. To that my reply is yes, but what the universities teach and how they teach it is supervised by representatives of the profession - and that is the case too with medicine, dentistry, architecture, veterinary science and so on. Well now, thanks to this university, that distinction is in any case to disappear; but I devoutly hope that AUSIT will soon be able to adopt for these professions the same role as, say, the Royal Australian Planning Institute assumes for the education and accreditation of town planners.

Having said all that, let me say one more thing which I believe to be of ultimate importance, and which I don't see covered elsewhere, at least in the printed topics for today's discussions.

I have been talking, as does the prospectus for today, in terms of professions and of training for them. That of course is extremely important. But these courses are being offered in a university, not in an institute of technology. I don't want to buy into institutional fights and jealousies, but to me the distinction is important. Whatever other institutions do - and that is their concern - a university at least should be concerned with education and not merely with training.

To some people, I know, that's a distinction without a difference. We have a federal department in which education, employment and training are linked as though they were at the very least aspects of the same thing. And if you can ever understand what that Department puts out (a real challenge for translators there!), it often seems to treat education as if it were training - the acquisition of particular skills to enable you to engage in a trade or profession.

Even on a narrow definition of education, that is evident nonsense. A doctor has to learn a great many skills if he is not to maim or kill his patients; but those skills can also be acquired by paramedics. What the doctor needs is education: the ability to think from first principles, to diagnose correctly, to apply to his therapy the appropriate skills and techniques. And he only knows what is appropriate because he can think and analyse and judge - mental skills which derive not from specialised training but from education, from the development of the mind.

If we only train people, they will be locked into the range of jobs for which their training is appropriate. If you train people to be plumbers, they will get jobs as plumbers, but they'll be hard put to get work as computer technicians on the basis of their plumbing skills. To train is at one and the same time to increase options and to confine them within certain boundaries. To educate is to open options to the widest possible degree.

What then is the basis of education, especially in a university? Volumes could be written - and have been written - in reply to that, but may I offer one very simple answer, though its implications are enormous. In my view, education is the process of developing the human mind to its fullest capacity. As an old friend of mine used to say, "education means knowing sense from nonsense, no matter in what clothes each may be dressed".

If that is true, then it becomes obvious that the *process* of a university education is of far greater moment than its subject matter. This person's mind may be best expanded and enabled to function well by an education in mathematics; that person's by a course in fine art and so on. What matters is that the subject matter is not the end-product but the *means* to an end: the ability to tell sense from nonsense.

There is a famous story told at Oxford of a Yorkshire sausage-maker who came to the university's employment bureau and asked for someone he could train as a manager. "But what sort of person?" asked the interviewing officer.
"Someone with a first".
"But a first in what? Biology? Chemistry?"
The Yorkshire man's temper boiled over. "That silly bugger! I don't give a damn what his subject is. If he's got a first, I'll soon teach him to make bloody sausages!"

Well, the program for this conference appears to be dealing substantially with the prospects of a career as a translator or an interpreter. But consider this. The subject matter students will be dealing with is fundamental to all knowledge: it is language. We have spoken of the necessity of translation and interpreting for practical purposes, but language and the ways in which it can be manipulated and rendered is as fundamentally essential for nuclear physics as it is for producing recipes.

So when the University of Western Sydney offers these courses it is offering students the opportunity of being educated by studying the very basics of the human mind's operating system; the fundamentals without which no study, no thought, no education, no communication is possible. If that doesn't expand their minds, I'll eat my hat.

So please, let us not concentrate today on translating or interpreting as purely professional courses. Think of them as an unrivalled opportunity for an education which will equip people for any career they choose to follow - even sausage-making!

SIMULTANEOUS INTERPRETING AND ITS ROLE IN INTERNATIONAL CONFERENCE

By: Dr. Yvonne HU, Manager Conference Interpreter Services (CIS)

Just imagine you are attending a conference in Singapore, Hong Kong, China, Taiwan or a number of destinations where Mandarin is widely spoken. Wouldn't you appreciate it if simultaneous interpretation is provided into English? I thought I would start off my introduction in Mandarin just to give you the experience of the delegate who doesn't have full comprehension of the official language of the conference.

You may ask : What is Simultaneous Interpreting ?
Simultaneous interpreting is where a language is instantaneously reproduced into another language by the interpreter, and this is conveyed to the listener by means of sophisticated electronic equipment. Simultaneous interpreting is usually provided by teams of two or more persons per language.

What is the Relationship Between Simultaneous Interpreting and International Meetings?

First, let's take a closer look at why the meetings industry exists.
Man has been using meetings for eons, ever since he began to live in a loosely organised society. These meetings have always been useful for the exchange of information, ideas, views, facts and even contacts. Indeed, nothing much has changed about this for centuries: the ancient man needed these meetings as much as modern man does today. It is only the subject matter that has changed.

Meetings and exhibitions create the opportunity for people to learn new facts and theories, to inspect and study new products, to recognise new areas of expertise in people or products, to keep up with trends, discuss or hear fresh opinions. In short: it provides a platform for growth and progress.

Meetings and exhibitions are the communication bridge which enrich the "network" system in the community. The word "community" rates some special mention here. According to the first definition of the word in The Macquarie Dictionary, "community" refers to "a social group of any size whose members reside in a specific locality ... and have a cultural and historical heritage". However, when we use the word "community" today, the meaning has evolved from merely referring to a certain number of people living in fairly close proximity to one another to that of a community of a whole nation and beyond, to the vast, often amorphous ,international community now often referred to by the fashionable term of "global village".

The interpretation of "community" as a global village indicates a coming together of people from diverse geographical locations and with cultural heritages more diverse than homogenous, which is a pronounced phenomenon in today's international meetings. The language factors must therefore be conveniently provided for. It goes without saying that the role of the simultaneous interpreter has a large part to play here in bringing people from various language backgrounds closer together and acting as a bridge between different language and cultural barriers.

Interpretating for International Conferences can Ensure Success and Boost Attendance

Professional language services are vital to the success of international conferences for a variety of reasons. First of all, the provision of simultaneous interpreting fosters good public relations and goodwill at international conferences. It demonstrates that although English is the official language, the importance of other languages is valued and understood. In so doing, it breaks down the language, and to a considerable extent, cultural barrier. More importantly, it allows delegates to participate in and understand the proceedings, enabling a greater exchange and easier flow of information. Furthermore, knowing that simultaneous interpreters will be used can help boost attendance of foreign language delegates, thus maximising registration from non-English speaking countries.

Some people believe that there is nothing difficult about their subject matter, but we all talk in industry jargon and acronyms that not even other native speakers necessarily understand. Fortunately, there is a growing awareness that language is a barrier and that although a non-English speaker may express himself adequately in English to maintain a conversation, his comprehension may in fact only be partial.

Such influencing factors as accent, dialect, delivery style, clarity, colloquialism, etc., all vary between countries and build up difficulties in speech.

Simultaneous interpreting is the preferred method for large meetings but consecutive interpreting can also be used. This is when intermittent interpreting is presented as the speaker pauses during the address and is particularly suitable for seminars or other small gatherings where time is relevantly unimportant. A variation of simultaneous interpreting, called "whispered interpreting", is also an option to consider for smaller conferences or meetings that are held in several locations. Participants do not use headphones, but rather form a small group and listen to the interpreter at their side.

What makes a good simultaneous interpreter?

An interpreter must be an excellent communicator whether or not the original speaker is able to communicate well. Interpreting is not just an ability to speak a foreign language fluently - it is a skill of instant language reproduction. The interpreter must have up-to-date fluency in the mother tongue and total comprehension in the passive language. The interpreter must have the type of quick-wittedness that can play this tough mental game of tennis and have a really good and retentive memory.

Interpreting is very complex and one of the things that monolingual people often fail to understand is the complexity of moving between different cultures and terminology. Good interpreters must familiarise themselves with the changes taking place in their mother tongue in order to maintain up-to-date fluency.

A good interpreter never interprets word for word. A word out of context may have a totally different meaning from one language to another. Literal interpretation does not necessarily convey true meaning, for example, "out of sight, out of mind" is definitely not "invisible, insane", as produced by a machine translation!

Interpreting experiences time gaps between the original language and the interpreted one. There are varying degrees (over a matter of seconds) because of different word order in different languages. For example, in Japanese, German and Russian the whole sentence must be heard first because the verb is at the end of the sentence.

Also the sense (or point) of the sentence must be heard before interpreting the meaning. This poses problems as some speakers take a while to get to the point. In fact, some speakers think aloud and the interpreter has to think aloud with them.

Simultaneous interpreters have been known to describe their job as feeling like "a tightrope walker", being blindfolded and having to go around corners!

Growing or Changing Trends in the World of Languages and that of Conference Interpreting:

While English has increasingly become the language of international communication, languages other than English have, ironically, also increased in importance. Hence, many international conferences require simultaneous interpreting as a criterion to host the conference. There is usually a preconception that if there are not many delegates from France, for example, then simultaneous interpreting into French will not be required. You may be interested to know that French is spoken in only 4 European countries, but in 43 non-European countries.
(Did you know that 20 times more non-Europeans speak Portuguese than Europeans? And that 10 times more non-Europeans speak Spanish than

Europeans? It is predicted by the United Nations that Spanish will be the world's most widely spoken language by the year 2010.)
Linguistically the world is changing and English is not enough by any means. The growing economic power of non-English speaking countries is one of the dramatic features of the modern world. The development of such social, political and economic strength of non-English speaking countries is leading to a growing confidence and an expectation that others will accommodate them linguistically, especially to sell goods and services.

In addition to the continued demand for traditional European languages such as French and Spanish, we have witnessed, as mentioned earlier, a steady growth in the requirement for Asian languages, as our neighbouring countries become more actively involved in the wider economic and cultural affairs of the Asia Pacific region. Assignments covered by Conference Interpreter Services reflect the growing awareness of the need for professional interpreting services in both the traditional European languages and now in Asian languages. From my observation and experience, Asian languages currently in increasing demand on the market are Japanese, Mandarin and Korean .

With the timetable set for the Pan-Pacific free-trade agreement by 2020 at the recent APEC conference held in Indonesia, we can expect to see the build-up of trade momentum in this region and a more dramatic increase in the need for simultaneous interpreting in various Asian languages in addition to what have been mentioned above.

Sydney-based Conference Interpreter Services (CIS) was formed in 1976 and has considerable experience in providing language services to a great variety of international conferences and meetings both in Australia and to countries in the region.

CIS has provided interpreters to international conferences in English, French, German, Spanish; Russian, Japanese, Mandarin, Cantonese and Korean for meetings held in Moscow, Vladivostok, Beijing, Tokyo, Kyoto, Bangkok, Kuala Lumpur, Singapore, Nandi and Auckland. Whilst we are a Sydney-based company, our client base ranges from Christchurch in New Zealand to Seoul in Korea. Indeed, you may be interested to know that we have been exporting Japanese, Mandarin and Korean simultaneous interpreters from Sydney in the Pacific and Asia.

Advantages that Australia can offer: Multicultural and Multilingual Resources

Australia's non-discriminatory immigration policies have resulted in a multicultural and multilingual population. Its amazing resources - its people and cultural diversity - ensure that the expertise of professional conference interpreters can be sourced right here in Australia. To the people of Australia, nowhere in the world is really foreign. We already have the business men and women with the language, the culture and other specialist knowledge that allows them to feel at home in virtually every overseas market. Indeed, Sydney has the resources and expertise to justify being known as "the Geneva of the South Pacific"

Some Tips about Planning for and Use of Simultaneous Interpreting at International Conferences

Choosing the right interpreters and making arrangements for their services can be mine field for the meetings manager with limited knowledge of interpreting. This is where the experience of a professional operator can be of considerable value.

Sydney-based CIS is one such operator. If you are planning to use professional language services for interpreting and translation work, these tips may be handy.

- To make sure of getting interpreters with specialised skills it is necessary to book early. Pre-planning is vital.
- The managing of interpreters and providing the interpreting service requires experience and the ability to adapt to quickly changing circumstances.
- Conference clients should make ample provision for language booths at the venue. Bear in mind that an increase in registrants may affect the available space in the conference venue.
- Meetings managers need to provide adequate background information to enable the company providing the interpreting service to make important decisions and present realistic budgets. Essential details include the estimated number of delegates, languages represented, number and size and general layout of meeting rooms and whether the translation equipment is available at the convention site or must be supplied.
- As part of the advance preparation for technical meetings, interpreters require documentation which may assist them with the terminology. These can include conference papers, previous meeting documents, agendas or even company brochures.

In conclusion, I hope you have gained some insight into the role of simultaneous interpreting which can indeed be a very useful tool in promoting your conferences and adding to the satisfaction of delegates. Now, we will give you a "live" demonstration of simultaneous interpreting in action. What you will see is Herman's Talking Head and it will expound the technicalities and idiosyncrasies of simultaneous interpreting. His speech is being simultaneously interpreted in French, Mandarin and good old Aussie "Strine", which you can hear through your headphones by adjusting the channel of the receivers.

THE PAST, PRESENT AND FUTURE OF LEGAL INTERPRETING/TRANSLATING IN NSW

by Dr Ludmilla K. Robinson, barrister

> [Note: Those from Non-English Speaking Backgrounds (NESBs)
> are not the only persons who need the services of interpreters.
> Persons with hearing and speech disabilities also need such services.
> Although throughout the paper I refer only to NESBs clients,
> this is for convenience only.
> Please read "all persons who have difficulty in communicating in English" for NESB.]

Australia has always been a multilingual society - even before the European invasion just over 200 years ago. However, it is only in the last twenty or thirty years that the law has begun to recognise the essential role played by interpreters and translators in both our legal system and in the administration of justice in Australia. Needless to say, the process of recognition has been and will continue to be slow. The wheels of the law, like the wheels of God, grind slowly but exceeding small. The problem with the law, however, is that during this lethargic process, the basic human rights, such as the rights to freedom, and equality before the law and justice are often crushed.

In this necessarily brief paper I will address the issue of the attitudes of lawyers, both solicitors and barristers, to the use of interpreters and translators and the recent efforts being effected within the legal profession to educate lawyer's in the use of interpreting/translating services. However, whatever lawyers' attitudes or beliefs, they are, to a very great extent, constrained in their practise by the parameters of the law itself. Therefore, no matter how sensitive to the needs of a NESB client a lawyer may be, s/he can only use an interpreter, in court, to the extent that this is allowed by the law itself.

As most of you here would be aware, Australian law is derived from two sources - precedent, case law or common law, and statute or legislation.

Under common law a NESB person had no right to an interpreter in legal proceedings unless they are the accused in a criminal trial. The decision to use an interpreter in all other instances was left to the discretion of the presiding judicial officer.

The common law rules have, to a certain extent, been modified by statute. Under certain Commonwealth acts, such as the Crimes Act and the Immigration

Act, a NESB person must be allowed the services of an interpreter if they are unable to communicate in English when being interviewed by either the State or Federal police about any infringement under these Acts.

In NSW, certain statutes allow specifically for the use of interpreters in certain situations, such as the Mental Health Act. The proposed NSW Evidence Act, it is hoped, will also provide for the use of interpreters for witnesses and litigants as a matter of right, rather than at the discretion of the presiding judge, in all NSW courts and tribunals. Unfortunately, this proposed change is still some time away.

However, protection of the rights of persons who cannot communicate in English can only occur through the education of legal practitioners in the many issues raised by the use of interpreters and translators in the legal system. Legislation is useless unless those within the law know how the legislation should operate, and in what context the legislative provisions should be applied. Some suggestions of areas in which legal practitioners have demonstrated lack of awareness are listed below.

At the first instance, interpreters are needed in conferences between NESB clients and lawyers. Often, a client may have sufficient proficiency in English to engage quite efficiently in day to day conversation, but insufficient accuracy in language use to be able to convey subtle, detailed, or exact concepts or facts to a third person. Often, the outcome of litigation may depend upon a turn of phrase. Therefore, lawyers need to be made aware that English proficiency may be illusory.

Secondly, translators are often needed to translate documents into English from another language. Lawyers need to know where such services can be found.

Thirdly, lawyers need to be made aware of the process of interpreting, the fact that there is no such thing as linguistic correspondence and literal interpreting. They also need to be aware of the needs of interpreters, and the importance of using suitably qualified and/or experienced and /or accredited professionals.

Finally, and perhaps most importantly, lawyers need to be educated in the legal aspects of the use and non-use of interpreters, particularly in criminal matters, by the police and in the courtroom. For example, the admissibility into evidence of a record of interview when an interpreter was not used to interpret the caution given by police prior to the recording of the interview may be a critical issue in the trial of a NESB accused. Also, legal practitioners must be made aware that in legal proceedings, either civil or criminal, when a participant needs the services of an interpreter, the proceedings must be interpreted: the legal arguments and submissions as well as the testimony of witness.

As mentioned earlier, the use of interpreters and translators by the legal profession has been constrained, to an extent, by the law itself. However, social and language background have, of course, also influenced the attitudes of many lawyers.

Traditionally, members of the legal profession in Australia were predominantly middle class, Anglo - Celtic and male. This is not to say that such persons are less sensitive to the needs of NESB clients, however, the legal profession had, and to a certain extent, continues to have a fairly restricted view of society as a whole. Naturally, this traditional profile and its concomitant attitudes, is changing for a number of reasons.

Firstly, and perhaps most significantly, the number of lawyers from NESBs has increased dramatically over the past few years. Of course, one would expect that lawyers who come from NESBs, even though their proficiency in a LOTE is limited, would be more sensitive to the problems encountered by NESB clients in the face of a confusing and often terrifying system. Ironically, however a lawyer who has an inflated view of their own proficiency in a LOTE and thereby dispenses with the services of an interpreter, can often create greater problems for the client in that the accuracy of the information given to the lawyer may be compromised by the lawyer's lack of proficiency in the LOTE.

Secondly, the professional associations of lawyers, that is the Law Society and the Bar Association of NSW, are striving to educate lawyers in the most efficient use of interpreters in the legal system. The Law Society has recently completed a Guide to Best Practice for Lawyers Working with Interpreters. This will be distributed to all solicitors in New South Wales. The Bar association includes a seminar on working with interpreters as part of its Continuing Legal Education program for barristers.

Recently, the Redfern Legal Centre Publishing included a chapter on working with interpreters in the Lawyers Practice Manual. I believe, also, that the College of Law includes a segment in its training course for solicitors on working with interpreters.

Certainly, changes are being achieved in the attitudes of lawyers and the judiciary to the use of interpreters and translators. However, as I noted earlier, the wheels of the law move extremely slowly. Effecting any changes in the law necessitates the setting in motion of an extremely cumbersome and time consuming process. But heightening the awareness of lawyers to the needs of NESB clients and interpreters is also a difficult task. This is because any heightening of awareness involves, in most cases, a corresponding change in attitude, a deepening of understanding, and a widening of knowledge. Those lawyers who came from NESBs, are, one hopes, aware of the problems faced by their NESB clients when confronted by the legal system. Therefore, in regard to this group, education initiatives like those discussed above are, in effect "preaching to the converted". However, it is perhaps the more conservative, more traditional and perhaps less aware members of the legal profession who could benefit most from the initiatives, and who are, unfortunately, the most difficult to reach. Both the Law Society Guide and the Bar Association CLE courses are non-compulsory. A lawyer does not have to read the Guide, nor does a barrister need to attend a CLE seminar. It is possible, therefore, that those who do read the Guide or attend the seminar, are, once again, the converted. Yet it is precisely those who do not make the effort that such educational initiatives are trying to reach.

In conclusion, therefore, attempts are being made to change to the attitudes of lawyers to the use of interpreters and translators in the Australian legal system. Moreover, more lawyers and members of the judiciary are becoming aware of the difficulties faced by both NESB persons and their interpreters in situations involving the law. The problem is, however, that these changes are occurring too slowly, and there does not seem to be, at present, any way to accelerate them.

WHAT'S IN A NAME?

The Interpreters' Perspective on the Law Society's *Guide to Best Practice for Lawyers working with Interpreters & Translators in a Legal Environment*

by Terry Chesher

In February 1995 the Law Society of New South Wales announced the completion of the *Guide to Best Practice for Lawyers working with Interpreters & Translators in a Legal Environment.* Originally titled a *Code of (rather than Guide to) Best Practice,* the guidelines were developed by a committee convened by the Law Society, with representation from lawyers and practising court interpreters, including members of the Australian Institute of Interpreters and Translators (AUSIT), the National Accreditation Authority for Interpreters and Translators, (NAATI), educators and employers. The Council of the Law Society endorsed the final version of the Code in its entirety, recommending only that the first words of the title *Code of Best Practice* be changed to *Guide to Best Practice*. This change was made with the intention of making the Guide acceptable to as wide a representation as possible of the legal profession. The guidelines were introduced as "an advisory set of recommendations to the legal profession and a set of procedural statements for interpreters and translators to be guided by when working in a legal environment".

This project enabled interpreters and lawyers to collaborate in the development of a document with a direct bearing on their professional lives. It is to be hoped that the introduction and dissemination of the guidelines will bring about an increased mutual respect on the part of lawyers and of interpreters of each other's roles and responsibilities in the legal environment, and a closer relationship between members of two of the oldest professions.

The *Guide to Best Practice* is to be circulated as widely as possible and the Law Society is encouraging organisations and individuals to endorse it as a valuable resource to the interpreting and legal professions throughout Australia. Funding is now being sought to enable the publication and distribution of the Guide throughout Australia.

In this paper, recent developments relating to interpreters and the law at state and federal levels will be described from the point when interpreters themselves began to contribute to the debate, followed by a description of the development by the Special Committee on Interpreting of the final *Guide to Best Practice.* I will then give brief details of the issues which were considered by practising court interpreters to be of greatest significance to the profession. My role in representing AUSIT was to elicit and pass on the views of members who are practising court interpreters, to table relevant documents from AUSIT's files, to circulate drafts to members for comment and contribute to revision and editing of the successive and final drafts.

Interpreters and the law - a background review

Interpreters have been formally used by the legal system for over four decades in NSW, in line with the increasing number of people taking up residence in Australia who come from non-English-speaking backgrounds (NESB). In 1975 the Commission of Inquiry into Poverty (the "Poverty Report") commented on the shortcomings of interpreter provision since the 1950s, and highlighted the need for a higher standard in court interpreting. Its authors recommended *inter alia* the establishment of standards, criteria for qualifications, training and code of ethics for interpreters working in court (1). In NSW a government interpreter service had been instituted in the decade after the Second World War, to provide interpreters to police and to the courts, but some lawyers were not convinced of the objectivity and professionalism of court interpreters, and in some quarters this mistrust remains today.

Debate has continued on issues such as whether and how the right to an interpreter should be legislated, how and when interpreters are to be used, who decides, who provides and who pays, what qualifications and experience are needed, how ethical issues can be identified and resolved, whether there should be registration of interpreters and translators (I/T) and along what lines professional standards and training should be instituted. Interpreters themselves have also raised the issue of the need for improved status, career opportunities, salary and working conditions.

By 1977 the Ethnic Affairs Commission (EAC) had established the Community Interpreter and Information Service (CIIS), taking responsibility for the training and provision of interpreters in courts under the state jurisdiction. The EAC later instituted a policy of using interpreters accredited at the professional level by National Accreditation Authority for Interpreters and Translators (NAATI), now put into practice at the state level for most languages. The Commonwealth's Translating and Interpreting Service (TIS) supplies interpreters in federal courts, but with less stringent requirements for professional standards. While students of the only tertiary I/T course in NSW are given specific training in legal interpreting, which will gradually add to the pool of interpreters with legal expertise, little in-service training is provided by the government.

In NSW since the formation in 1987 of the first national association the Australian Institute of Interpreters and Translators, AUSIT, members have increasingly been contributing to inquiries and discussion on interpreters and the law. AUSIT members have contributed to the State and Federal Attorney-Generals' inquiries into interpreters and the law (2, 3), the Australian Law Reform Commission's investigations into Multiculturalism and the Law (4), the Ethnic Affairs Commission's "Cross Cultural Issues in the Law Project" (5), and annual Law Week seminars. An AUSIT representative was invited to participate in the Law Society's Law Week Forum "Lawyers working with interpreters in court" and concentrated on the following key issues: the right to an interpreter; the importance of appropriate qualifications, levels of skill, ethical behaviour and objectivity in professional interpreters; training of interpreters and training of lawyers; the right of interpreters to be treated as professionals by the legal system, to be paid reasonable fees and be provided with proper facilities in and outside the courtroom; clarification of their roles and responsibilities to all in the courtroom including the accused; regulation of the interpreting profession and the need for appropriate remuneration and provision of suitable court facilities. (6)

Lawyers and interpreting - a gradual awakening

Over the years there has been a gradual increase in awareness amongst lawyers that the legal system might need some changes to acknowledge the changing mix of Australian society, notably for those of non-English-speaking background (NESB) who may not be familiar with the adversarial system. There has also been some progress in the movement towards Plain English in a legal context, which may help to demystify some aspects of law as practised in Australia (not only for those who speak languages other than English, but also for native English speakers).

One of the more original and useful initiatives was a leaflet produced by the Legal Aid Commission in 1990 with a 3-dimensional diagram of the participants in court, called Who's Who in Court, made available in 10 languages The fact that no interpreter is included amongst the court participants may reflect that attitudes and practice are not quickly changed in the legal environment.

The Law Society, the representative body of solicitors in NSW, was singled out as "one of the first professional associations to undertake a significant campaign of directly addressing their potential clients in their own languages" (7). It established a series of weekly newspaper articles prepared for the ethnic press, aiming at "informing them of their legal duties and obligations and of their rights and entitlements under our legal system". In recent years the Law Society set up a Cross Cultural Issues Committee, and has also taken other practical steps to bridge the gap between the non-English speaking sector and the law, for example, articles on law in the ethnic press, and ensuring that discussion on interpreting is included in Law Week events.

How the Guidelines on Best Practice came into being

Late in 1994 when the NSW Law Society convened the Special Committee on Interpreting it was planned to complete the guidelines by the end of February, and this goal was met.

The Law Society invited membership of the Special Committee on Interpreting and at the completion of the document nineteen people, with the legal and interpreting professions almost equally represented, were listed as contributors (see Appendix 1). The Special Committee as mentioned above included representation from experienced practising court interpreters, employers and educators.

Meetings were conducted by the Chairperson of the Law Society's Cross Cultural Issues Committee (with two executive officers) and lawyers included a Magistrate, and representatives of the Bar Association, the Office of the Director of Public Prosecutions, and the Legal Aid Commission. As spelled out in its introduction, the Guide was designed to "provide guidelines for lawyers, interpreters and translators working with clients who require services provided by them" and "to describe the various roles of lawyers, interpreters and translators and highlight aspects concerning the law, procedure, skills, ethics and levels of accreditation ... distinguish the roles of interpreters and translators". The full wording of the Introduction and Objects of the Guide are included in Appendix 2.

Drafting the Guide

The initial document was drafted by the Law Society's executive team, based on ideas put forward at the first meeting of the Special Committee. Seven meetings and five drafts later the final document was submitted to the Law Society Council. The Committee met monthly over working lunches and, between meetings, minutes and amended drafts were circulated together with any new material. In the end quite an extensive documentation on interpreters and the law was collated.

The Law Society felt that guidelines on best practice would have a greater likelihood of acceptance and influence for change if they focussed on what the laws and rules of Courts/Tribunals of NSW now prescribe in terms of rights and obligations. The Chairman constantly reminded Committee members that for some members of the legal profession much of the contents of the document would be new and unfamiliar. For a profession not noted for swift or radical change to procedures, we should not be too ambitious in our recommendations for change!

There were only three recommendations for change:

- that standard terms of settlement are in future provided in writing in the clients' language, so they know what they are signing;
- that all relevant Court documentation be revised into Plain English;
- that attention be paid in future to designing court layouts to facilitate effective interpreting and translating.

Framing the document

Development of a document by a committee is always a challenge, but meetings were chaired with a determination to keep digressions to a minimum. Inevitably members sometimes felt that insufficient time or attention was given to certain points, but on the whole consensus was reached and the project completed. Not unlike most translation, there is more than one way to get a message across. The general feeling on the part of the Committee was that it had achieved what it had set out to do within the prescribed deadline; and produced a workable set of guidelines which can be used as a benchmark in future.

The original structure of the document was developed from the perspective of lawyers, and AUSIT's concern was to enrich the document by including issues of significance from the interpreters' perspective. It was agreed to include an introductory glossary of terms as well as definitions of "lawyer", "client", "court engaged interpreter or translator," "qualified and professional interpreter" and "translator" to allow for lawyers' varying degrees of familiarity with this area. Included also are explanations of terms and acronyms such as "sight translation", "simultaneous interpreting", "consecutive interpreting", "NESB", "LOTE", and the Appendices contain details on the accrediting body (NAATI) and the professional I/T association (AUSIT), various I/T codes of ethics, sources of interpreters, fees and charges of the Commonwealth, sample affidavits, an extract from the Administrative Appeals Tribunal on procedures for the use of interpreters, resources and references and a list of members of the special committee which formulated the document.

During the development of the guidelines, there were plenty of differences of opinion and plenty of hot debates. For example, it took some time to arrive at the final definition of an interpreter: "a person who has qualifications and professional experience in immediately making a verbal translation of speech from one language to another accurately conveying its meaning" and a translator: "a person who has qualifications and professional experience in accurate written translation from a written document".

AUSIT also took pains to establish the differences between the two roles of interpreter and translator (although on many occasions the distinction becomes blurred, for example when an interpreter is asked to do a "sight translation"). It was stressed that appropriate qualifications and experience are essential for interpreters working in this domain. AUSIT also suggested that the phrase "perfect literal translation" be replaced by "full, accurate and polished translation", and that such phrases as "a simple translation" be removed altogether, because of the implication that translation requires little effort or competence.

The right to an interpreter and interpreters' rights

It was felt necessary to raise the question of the rights of court interpreters to suitable working conditions with facilities appropriate to their work needs, in recognition of their status as members of a professional group. The right to an interpreter in the legal system is considered as a human rights issue and lawyers in Australia appear to be accepting the idea that provision of an interpreter is not giving preferential treatment to non-English speakers. Rather, the presence of a competent professional interpreter should remove, to a large extent, barriers to communication between all parties in a legal setting.

It is not only the non-English speaker who is the client of the interpreter. Communication is, of course, a two way process and the court needs the interpreter just as much as the non-English speaker does, if 100% of the dialogue is to be understood by all involved (judiciary, jury and any observers, reporters, etc.). The right to an interpreter in that sense flows on to the right of the proceedings to a qualified, experienced interpreter, in recognition of the fact that justice must be accessible and understood by all those who come before the court in Australia.

From the court interpreters' point of view, a number of important principles were accepted, and additions made on behalf of the interpreting profession. For example: that I/T practitioners working in the courtroom (or indeed in any professional setting) should have both qualifications and experience. To describe an interpreter as a conduit is inaccurate and inadequate, given that interpreters and translators do not interpret or translate words, but concepts.

Briefly outlined below are some of the issues raised on behalf of court interpreters which influenced the final version of the Code.

1 interpreters and translators, like lawyers, belong to a profession and are bound by their own professional code prescribing ethics and practice, including objectivity and confidentiality;

2 use of the term *qualified and professional* is recommended to emphasise the importance of I/T practitioner qualifications, bilingual skills, experience and training;

3 the skills of interpreters and translators are different, as are their roles, and should **not** be seen as interchangeable. It is rare for one person to be equally as competent as an interpreter and as a translator. (The acronym I/T should be read as interpreter *or* translator, or interpreting *or* translating, not as interpreter/translator);

4 only qualified interpreters, preferably with training and experience in legal interpreting, should be employed in any proceedings inside or outside the courtroom;

5 provision of a competent interpreter should ensure that all participants in the legal process, including speakers of languages other than English (LOTES) can communicate freely, and be understood, and can follow the legal proceedings including all courtroom dialogue, ideally to the same extent as English speakers are able to do;

6 the interpreter's role should be clearly understood by all participants, including non-English speaking clients who may consider that someone who speaks their own language as an advocate rather than an objective official of the court;

7 a section was added to the document on facilities for interpreters inside and outside the courtroom; for example, adequate seating, provision of drinking water, regular rest breaks in recognition of the needs and professional status of the interpreter;

8 note-taking and reference to dictionaries is as normal and as essential a practice for interpreters as it is for lawyers;

9 there is a need for improved training opportunities for legal I/T practitioners;

10 there is a need for improved training for lawyers in working with interpreters;

11 legal jargon is harder to comprehend and harder to interpret, and can and should be replaced by Plain English;

12 adequate and timely remuneration including cancellation fees should be guaranteed to professional interpreters;

13 there is no such thing as a simple translation, and requests for "sight translation" should be limited to short documents, and adequate time allowed;

14 significant written documentation should be translated in advance by a competent translator before being produced in court.

An AUSIT member gave a good example of a recent dilemma for an interpreter, which underlines how interpreters can have a role in clarifying a communication breakdown. In some courts they are not allowed to interfere even when it is clear there is confusion.

(Both speakers are speaking to each other through an interpreter)

Lawyer (L) :
I want your instructions whether to run the case or try to settle.

Non-English speaker (NES)
You know what's best for me.

L
No, I must have your instructions.

NES
I don't give instruction to my lawyer ... you know better what to do.

L

Please, try to listen. I must have your instructions ...

NES

Why are you asking me? I don't know. I am engaging a solicitor because a lawyer knows what's best for me. Why am I paying you if you ask me what to do?

In the end there were three recommendations for change:

- that Standard terms of settlement be made available in community languages,
- that court documents should be produced in Plain English format
- that Court layout be modified to facilitate the interpreting process

Conclusion

Members of two professions collaborated closely to provide a practical tool to help bring about change in the practice and procedures of the law when speakers of other languages are involved, and it is to be hoped that the product of this collaboration, the ***Guide to Best Practice for Lawyers Working with Interpreters and Translators in a Legal Environment*** will contribute to a process of change which will benefit both the speakers of other languages who come into contact with the law, and the profession of interpreters and translators.

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Appendix 1 Members of Special Committee

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Appendix 1

Members of the Law Society of NSW Special Committee on Interpreting

Law Society:

Phillip Chown (Chair), Lawyer, Councillor of the Law Society

Christine Macqueen, Executive Officer

Nicholas Flaskas Public Affairs Lawyer

AUSIT members:

Marta Barany, Vice Chairperson, NSW Branch, Interpreter and Commissioner of the Ethnic Affairs Commission of NSW

Skender Bregu, Regional Officer, National Accreditation Authority for Interpreters and Translators, Interpreter

Terry Chesher, National Vice-President, NSW Vice Chairperson, Translator, Coordinator Health Translation Service, NSW Health Dept.

Grete De Tapia, Interpreter

Sandra Hale, Lecturer and Linguist, University of Western Sydney

Isabel Lira, Interpreter

Traute Samios, Interpreter

Andie Zhang, Interpreter, Ethnic Affairs Commission of NSW

Other members of the Committee (alphabetical)

Gabby Arfaras, Lawyer,
Office of the Director of Public Prosecutions, New South Wales

John Favretto
Office of the Director of Public Prosecutions, New South Wales

Daphne Kok, Magistrate, Waverley Local Court, Waverley

Marie Nicholson, Executive Officer, Translating and Interpreting Service, Department of Immigration, Local Government and Ethnic Affairs

Ludmilla Robinson, Lawyer, representative of the NSW Bar Association

Lili Stefanovic-Mojsin, Lawyer, Commissioner Ethnic Affairs Commission of NSW

Peter Wilmshurst, Lecturer, Macquarie University Law School

Vicki Zubovic, Research Officer, Legal Aid Commission of NSW

Appendix 2

Guide to Best Practice for Lawyers Working with Interpreters and Translators in a Legal Environment

1. Introduction.

1.1 This Guide is designed to provide guidelines for lawyers, interpreters and translators working with clients who require services provided by them.

1.2 The Guide is designed to describe the various roles of lawyers, interpreters and translators and highlight aspects concerning the law procedure, skills, ethics and levels of accreditation. In this regard the Guide will help to distinguish the roles of interpreters and translators.

2. OBJECTS

The objects of the Guide are:

2.1 To foster and encourage just and fair practice in dealings between lawyers, interpreters and translators and the consumers of their services.

2.2 Assist lawyers, through interpreters and translators, to provide high quality legal advice and access to justice in dealings with clients requiring the services of an interpreter/translator.

2.3 Assist lawyers, through interpreters and translators, to obtain effectively from their clients accurate instructions relevant to the particular matters or proceedings being heard.

2.4 Encourage lawyers to communicate efficiently with persons requiring the services of a lawyer, interpreter or translator.

2.5 Promote prudent practice and procedures towards the efficient handling and conclusion of proceedings and compliance with orders, agreements or terms of settlement.

2.6 To enable members of the profession, as well as interpreters and translators, to maximise the assistance they can provide to courts, tribunals and other forums in the management of their proceedings so as to enhance and facilitate their just and efficient operations.

INTERPRETING AND ADVOCACY

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Introduction

Ludmilla Robinson begins her recent Handbook for Legal Interpreters with the story of a court interpreter who was asked, after holding a long discussion with a witness, what the witness was saying: the interpreter's reply was 'I am trying to get the right answer'. While Robinson obviously intends the story to be provocative and refers to the interpreter's behaviour as 'unprofessional', she also comments that both lawyers and interpreters are 'constantly searching for the "right answer" on behalf of their clients.' She also notes that in both law and interpreting, 'there may be a number of "right answers"' (Robinson 1994:xiii).

This story and our reactions to it evoke the conflicting demands on modern interpreters. On the one hand, we may be embarrassed by the interpreter who says 'I am trying to get the right answer'. As Robinson herself says later in her book, in a chapter on ethics and conduct, interpreters are expected to show objectivity and impartiality: they shouldn't be trying to get a particular response from a witness; and they should, for example, 'never engage in gratuitous conversations with the client' and should 'never prompt the client' (Robinson 1994: 102).

On the other hand, few of us believe that an interpreter can really act as a kind of neutral conduit, receiving messages in one language and reproducing uncontroversially equivalent messages in another language. We know - as Robinson herself acknowledges - that interpreters do sometimes have to search for the right answer, and that there is sometimes more than one right answer. Given the nature of languages, we must even recognise that there are sometimes no right answers at all but only several almost right ones or half right ones.

So although one popular conception of the interpreter may be that of an objective, impartial and accurate converter of messages, there are certainly other models. Gutt (1991), for example, revalues translating and interpreting in the light of relevance theory; in the course of a critique of notions of equivalence and naturalness, he says that simultaneous interpreters in particular may need to 'depart from the original' to make the message clear: as Gutt puts it, translators will often settle for renderings that resemble the original less closely but get across easily what [they consider] to be adequately relevant aspects of the original (Gutt 1991:117).

And it is certainly possible to go further than this in some contexts. Kaufert and colleagues (1984, 1986), for example, report on research on Canadian native language interpreter services within an urban hospital context and note that interpreters in languages such as Cree not only interpret in the narrow sense of that term but also act more generally as cultural intermediaries, for example by providing advice to health professionals on cultural and environmental factors that may affect compliance or by serving as counsellor-advocates for clients and communities. Observation of interpreters at work showed that their roles had expanded beyond language translation activities and included a wide range of advocacy and cultural brokerage functions (Kaufert et al. 1986:99).

Against this background, the remainder of this paper explores the question of modelling the interpreter's role, with particular reference to interpreting in Australia.

The demands of different professional settings

One reason why we find differing views of the interpreter's role has to do with different professional settings. In a court of law, an interpreter is operating in a context where there are strict rules about who can say what to whom, about leading a witness, and so on. This setting is (or should be) quite different from, say, a medical interview in which a professional is attempting diagnosis and therapy in the best interests of a client.

In fact we need to make fine distinctions among professional settings. The term 'health care', for example, may cover a wide variety of situations, such as a consultation with a general practitioner, or an interview in hospital prior to surgery, or an assessment by an occupational therapist, or an interview with a psychiatrist. The demands on an interpreter are somewhat different when the client is trying to explain a source of discomfort and anxiety to a general practitioner or when the client is being assessed by an occupational therapist.

At the very least, this diversity of settings should make us cautious about generalising about an interpreter's role.

The demands of different languages

Apart from the obvious point that languages (and cultures) may be relatively similar or relatively different, languages also differ in what we might call their sociocultural status within Australia. For example, the kind of cultural mediation described by Kaufert et al. (1986) for English-Cree interpreting in Canada seems readily relevant to Aboriginal Australia and perhaps also to some migrant communities; but probably not to all languages for which interpreters are required in Australia. Certainly there is a risk that 'culture-brokering', insensitively implemented in the wrong context, could be condescending or paternalistic, even in some interactions between Aboriginal languages and English.

Less controversially, some languages need some kinds of interpreting more than others. Some languages are well represented in the population of Australia, some of them with relatively high numbers of older people, some with a younger and growing population, some languages are much more in demand by tourists and business visitors than by residents, and so on.
Again, the main point here is the danger of overgeneralising. The languages in which interpreters work have consequences for the kinds of settings in which they will find work.

Interpreters' obligations and duties

There are some professional standards which apply generally to interpreters: professional interpreters must maintain certain standards of confidentiality and impartiality, for example, and are also liable in law for acts of negligence.

Interpreters also have specific obligations in certain settings. In a court of law, they are subject to additional requirements imposed by the legal setting, for example, procedural rules about being sworn in and conventions about what to do if a client tries to ask for advice or to engage in a private conversation. In some other situations, where an interpreter is employed by a client - say in commercial dealings - the interpreter will be in some sense serving a customer and under obligations to that customer.

Once again, it is important to recognise how varied the relationships may be between clients and interpreters. Gentile, who has described the Australian situation (1983, 1991), makes the point that in a health encounter, the health professional may be as much the client of the interpreter as the person traditionally regarded as the patient or client. Wadensj's recent study of 'dialogue interpreting' in Sweden (1992) is also a useful exploration of how interpreters are supposed to interact with their various clients. In fact, the term 'client' is probably not always appropriate: if the interpreter's client is the defendant in a court of law, what the interpreter can and can't do for the 'client' is largely outside the client's discretion; on the other hand, if the interpreter's client is negotiating a business contract, the client is likely to be much more of a 'client' and certainly to have more control over what the interpreter does.

Modelling the interpreter's role

With these considerations in mind, we review some of the ways in which we might model the interpreter's role.

Interpreters as translators

This implies a very decontextualised view of interpreting, as if an interpreter works with text alone, without any additional information other than what most people would infer from the text itself. Of course, translators of written texts rarely work with the text alone either - they have background information, they talk to their clients or customers, and so on. But the notion of an interpreter as an unobtrusive intermediary, a translator of information, is probably close to the most popular conception of interpreting, and is something like what many people seem to expect of a legal interpreter; but, as we noted earlier, this is an unrealistic and unfair expectation if it assumes that an interpreter can be an objective, impartial and accurate converter of messages. Languages and cultures do not match each other neatly in ways that allow simple conversion of messages; and part of being a professional interpreter is to be alert to implication and innuendo. Moreover, in many settings, an artificially rigid and narrow conception of translating messages would violate professional ethics and obligations to clients or customers.

Interpreters as advocates or service providers

It may seem more attractive to view the interpreter as an advocate, or at least as someone who provides a service to a client. This seems most obviously desirable in certain kinds of health care encounter, for example, when interpreting for someone in need of medical attention.

But it is not self-evident that this model is appropriate everywhere. As we noted earlier, not all clients are clients. When an interpreter's client is being interviewed by the police or questioned in court, there are legal constraints on advocacy; and it is at least debatable whether a professional interpreter should be ethically obliged to act as an advocate either for the police or the prosecution or for a suspect or defendant.

Interpreters as independent professionals

Is there another possibility, that an interpreter can be viewed as an independent professional? Is there some analogy with, say, the teaching profession, where exercise of the profession implies some independence of judgment, where loyalty to one's employer does not imply unquestioning obedience to a school principal or a Ministry of Education, where duty of care towards children and students does not imply always doing exactly what the children and students expect or demand?

If this is a possibility, it is a more difficult one to formulate: it entails a sense of professionalism, perhaps even a sense of tradition, with sufficient flexibility to meet the demands of the kinds of diverse settings that we have been talking about. We need to develop some discussion within and around the profession, tackling questions such as the following:

Can a professional function differently in different settings - for example, as an advocate in some health settings but as a kind of officer of the court in some legal settings? Does this imply subdivision of the interpreting profession?

What are the limits on advocacy? Should an interpreter decide whether a client is in need of an advocate? What if the interpreter is interpreting for someone being interviewed by the police: does the interpreter have to make judgments about power and guilt?

How does a professional code evolve? Can interpreters learn from the failures and successes of other professions? How should professional self-regulation interact with legislative and statutory control?

How can interpreters and those who need or use interpreters be informed about these issues?

* * *

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INTERPRETING AND TRANSLATION SERVICES BY THE ETHNIC AFFAIRS COMMISSION

by Grace Dawson

I believe that Australia, especially NSW, has a great future for interpreters and translators. We are located in the fastest growing region, economically, in the world. We have a stable political environment and a new sense of independence. We have abundant and special natural resources. We have recently won the Olympics 2000 and, most importantly, we have within our borders a population that speaks the world's languages, understands the world's cultures and practices the world's religions without conflict or bloodshed. Essentially we have a population with direct human links with every country in the world.For our economy, this should be a source of enormous strength.

Bearing all this in mind, I would like to speak briefly on how this affects the interpreting and translation profession. Interpreting and Translating is rapidly moving from being community, welfare orientated, to being more commercially focused. There is a great business interest in NSW. The main attraction is the cultural diversity of our workforce and the availability of professional interpreters and translators.

In the Government sector, all government departments as part of the Charter of Principles for a Culturally Diverse Society which ensures access, equity and natural justice for NESBs have budgets for language services, to ensure professional interpreting and translation services are available and provided for non-English speakers interacting with government departments. The individual does not pay.

This then now brings me to what the Language Services Division, Ethnic Affairs Commission does.

Language Services Division - Ethnic Affairs Commission (LSD-EAC)

The Language Services Division (LSD) previously known as Community Interpreter Information Service (CIIS) was first established in May 1977 as part of the Ethnic Affairs Commission of the Premiers Department. The first full-time interpreters began work on 2nd May 1977. In 1979, after the proclamation of the

Ethnic Affairs Commission Act the Community Interpreter Information Service (CIIS) became an integral part of the Commission.

Following a restructure of the EAC in 1989, the division was renamed as Language Services Division (LSD), which it is currently called. The primary aim of the LSD-EAC is to facilitate the communication of ethnic communities with the government and community at large, through the provision of quality, cost-effective, efficient and reliable interpreting and translator services for people of non-English speaking background. Language services are also provided to people and organisations wanting to communicate in languages other than English including Deaf Sign. The service is constantly monitored for its relevance to those who use it.

The Language Services Division provides interpreting and translation services in ninety different community languages and dialects and is still growing. Forty nine people are employed in the Division throughout Ashfield (head-office), Wollongong and Newcastle (regional offices). The Commission also engages over 600 panel interpreters and translators on a contractual basis as needed.

The services provided are available to the public, State government departments and authorities in accordance with State government access and equity policy as previously stated to provide professional interpreters for non-English speakers dealing with government agencies. Interpreters are available state-wide for assignments in Courts, Police stations, government departments, private homes and commercial offices. The service covers almost any issue including law, health, education, industry and trade.

The interpreter and translator services can also provide advice on language related issues, check, proof-read and edit documents, provide sub-titling and voice-overs in community languages.

Under the current "user-pays" system, every government department and commercial client, except the Department of Courts Administration, is required to pay for interpreting and translation services. Although the LSD is the EAC's principle revenue raising activity, all the revenue it raises is used towards its provision of interpreters to the State's courts free of charge.

Priority for interpreting services is given to all court and Police matters.
There is also a 24 hour emergency pager service in place for after-hours Police and Child Protection Unit, for the Department of Community Services matters.

We also provide for work experience for school students interested in furthering their studies in languages, and to University students seeking "hands on" experience in the field.

We recruit on a regular basis according to identified language needs. In order to maintain high professional standards, only NL3 and above interpreters, interpreters with recognition from NAATI or those who have successfully completed NAATI accredited courses are employed. Attendance at a 3 day orientation course is compulsory prior to being included on the Ethnic Affairs Commission panel.

Ethnic Affairs Commission interpreters have participated in major events on a sponsorship basis i.e.

- FIFA World Cup Soccer - Spanish and French
- International Conferences i.e. last year in the World Indigenous Conference and the DPI World Assembly - (Spanish and Auslan)

We are continuing to receive major work in both interpreting and translations from commercial clients and this has resulted in a marked increase in our commercial provision of Interpreting/Translating Services.

With the advent of the Olympics 2000, other major events are being targeted for Sydney as the Olympic City, e.g. the Global Diversity Conference in April 1995.

DIEA's TRANSLATING AND INTERPRETING SERVICE (T.I.S.)

by Carol Hunt, Assistant Director, TIS

This is a unique national public sector translating and interpreting service which operates as part of the Department of Immigration and Ethnic Affairs (DIEA). It provides free interpreting and translating to non-English speaking Australian residents to help them settle successfully in Australia. It also provides a professional and cost-efficient service to public sector agencies, individuals and the private sector on a fee for service basis.

TIS began in 1974 as an emergency service, employing eight staff with access to 20 languages. Today, TIS is a national, 24-hour, seven-day-a-week service, with access to over 100 languages via more than 2,000 contract interpreters and translators. Its 1984-85 budget is $18.6 million. TIS operates through a small policy and coordination unit in Canberra and offices in all states and territories. TIS services are:

- a national 24 hour, 7 days a week telephone interpreting service, accessed through a national telephone number (13 14 50) for the cost of a local call;
- an on-site interpreting service, subject to interpreter availability, for any time and any location in Australia; and
- a translation service.

In 1994-95 TIS will carry out about:

- 294,500 telephone interpreting tasks,
- 111,500 on-site interpreting jobs and
- 10.2 million words of translation.

The TIS Mission

TIS is a key element of the Commonwealth Government's Access and Equity Strategy which provides comprehensive, high quality language services for citizens and residents, government and the private sector, in order to enhance and facilitate the participation of all Australians in the economic and social life of the nation.

Cost Recovery

TIS has operated on a partial cost recovery basis since 1991. By operating in a cost-recovery environment, TIS ensures that the cost of language services needed to implement a government program is reflected and accounted for by the agency implementing the program. Commonwealth and State Government agencies were initially supplemented with appropriated funds for TIS services, with the Commonwealth entering cost-sharing agreements with State/Territory Governments. Since the introduction of cost recovery, TIS charges have not been increased.

In 1994-95, TIS expects to recover about $6.53 million from charges to Commonwealth and State Government agencies for their use of services.

TIS provides non-English speaking migrants with free translations of settlement-related documents and free interpreting services. Telephone and some on-site interpreting services are also provided free of charge to medical practitioners, local government agencies and community service organisations in order to assist the settlement of migrants. These services are paid for by the Settlement Program of DIEA.

Evaluation

An evaluation of TIS was completed in 1994. It reaffirmed TIS's commitment to providing language services to non-English speaking Australians. Other recommendations concerned such issues as improved cost recovery mechanisms, increased cooperation with other agencies, development of more effective financial management procedures and a TIS Business Plan, and regular client surveys and consultation.

Recent Initiatives

Technology

A new, custom-built national computer system, The TIS Information System (TISIS) was commissioned in 1993 and is expected to be fully operational by the end of 1995. TISIS integrates the three separate systems which until now have managed telephone interpreting, translations and accounting for TIS. TISIS will enhance the provision of services to clients. Through its improved data collection facilities, TISIS will make it easier for operators to connect service-related calls. It will also improve timeliness and accuracy of financial and management information.

It is expected that an upgraded telephone switchboard system will also be in place before the end of 1995. This will enhance TIS services by increasing the number of telephone lines available and reducing the number of calls which drop out of the system. It will provide a range of technical enhancements and management information not available under the present outmoded technology.

Commitment to professionalism

Following an extensive review, carried out in consultation with the Community and Public Sector Union, TIS was restructured during 1994. Suitably qualified staff interpreters and translators were reclassified as Professional Officers and their jobs were redesigned to include a wide variety of professional duties. This reflects TIS's commitment to providing professional language services to its clients.

Marketing

Research carried out as part of the recent TIS evaluation showed that substantial numbers of clients and potential clients seemed to know very little about TIS and its services. A campaign to raise awareness of TIS is currently under way in more than 30 target rural and remote areas, selected because of their high migrant populations. The campaign provides advice on how to access TIS, how to maximise the effectiveness of telephone interpreting, the importance of using professionals, and cross-cultural awareness. This campaign, along with the national 13 telephone number introduced in 1994, is expected to significantly improve access to TIS for clients in non-metropolitan Australia.

Building national and international links

TIS keeps in touch with Australian and international trends through the links made between individual TIS offices and their State counterparts, active involvement in some NAATI State Committees and initiatives such as DIEA sponsorship of the Congress of the Fédération Internationale des Traducteurs (FIT), to be held in Melbourne in 1996.

TIS has established a working relationship with two overseas providers of language services, Language Line UK and the Canadian Government Translations Bureau. TIS plans to carry out a bench marking exercise with these and other agencies and is working with Language Line to explore better ways of providing services in rare languages.

The Future

The new TISIS and PABX systems will provide the functionality for TIS to improve its services to clients throughout Australia. Our new employment structures reflect our increasing commitment to professionalism.

The technology to share interpreting and translating resources across national boundaries (eg modems, faxes, teleconferencing and video-conferencing) already exists and is constantly being improved. There are potentially great advantages for TIS and for language service professionals in international cooperation. For example, overseas interpreting services could tap into the TIS telephone interpreting service for some languages or for overnight calls (business hours in Australia). In return TIS could use their linguists for languages in which we have no accredited interpreters or translators, such as some Indian and African languages.

TIS clients would benefit from access to professionals in languages in which Australia has no qualified practitioners. Australian language professionals would benefit from the widened international job market.

New technologies such as video-conferencing will lead to changes in the way that interpreting services, particularly "on site" services, are delivered. TIS is the principal means by which government and community agencies ensure that non-English speaking Australians have equitable access to services and information, and the opportunity to participate in society and its institutions. We aim to take advantage of future developments to provide increasingly efficient, effective and timely services to our clients.

The TIS mission

TIS is a key element of the Commonwealth Government's Access and Equity Strategy which provides comprehensive, high quality language services for citizens and residents, government and the private sector, in order to enhance and facilitate the participation of all Australians in the economic and social life of the nation.

In achieving this, TIS provides:

- direct assistance to non-English speaking migrants, free of charge, regardless of their length of residence in Australia;
- a cost-recovery based vehicle for Commonwealth and other government and community agencies to offer language assistance to their clients; and
- commercial interpreting and translating services on a fee-paying basis.

TIS VITAL STATISTICS

TIS provides:

- A national 24 hour, 7 days a week telephone interpreting service, accessible through a national 13 telephone number (13 14 50);
- An on-site interpreting service; and
- A translation service.

TIS employs about 2500 interpreters and translators covering 100+ languages

1994-95 budget is $18.6 million

- during 1994-95 TIS expects to recover about $6.53 million from charges for services to Commonwealth and State government agencies

In 1994-95 TIS will carry out approximately:

- 294,500 telephone interpreting tasks,
- 111,500 on-site interpreting jobs, and
- 10.2 million words of translation.

THE FUTURE OF THE INTERPRETING AND TRANSLATION PROFESSIONS

by Mike Nasir, Manager, Sydney Language Centre

If you do find my paper a bit controversial, please consider the possibility that there has been a shortfall in controversy in this profession in the past few years. The agendas more or less are well defined and set, indeed some argue, controlled.

The future of this profession in Australia, indeed the future of any profession, is a product of its past and present. For the benefit of those who did not witness the past, and perhaps have not really touch as yet on the present, I would like to take you briefly through a journey that spans some 40 years; say, from the Fifties onward.

It is curious, perhaps self-indulgent, to attempt to reconstruct the first formal or semi-formal interpreting or translation assignment done in this country. If I am allowed to dramatise this, it probably went something like this. It probably occurred in Sydney or Melbourne in the fifties. A migrant, perhaps from Italy, opened a fruit shop. He had to learn some English very quickly to communicate with his customers, many of whom were police officers from across the street.

One day, the police arrested a 'wog', as they were often called those days. They decided to call on the services of our friend at the fruit shop. A few days later another 'wog' was charged and another. The police considered the time spent by the fruit shop owner and decided to pay him a modest fee for his services.

As more and more non-English speakers were charged, the fruit shop owner/interpreter found himself spending a fair bit of time at the police station interpreting. He decided that it was more worthwhile for him to work more regularly as an interpreter and gradually took less and less interest in his shop.

More and more Luigis, Nicks, Abduls and others discovered that there was money to be made in interpreting. It is not a bad life really. Furthermore, they were seen in the community in the company of the police and other powerful figures, which gave them a sense of power and importance.

This dramatised version, was by all accounts, the genesis of this profession in this country. **The link, the association and inter-dependence between the authorities and the profession was made.** In contrast to this, and in global terms, the profession developed in other parts of the world, in commercial and trade exchanges rather than involvement with and by government and authorities as is the case in Australia. In many, if not most, countries, interpreting and translation is everyone's business, whilst in Australia it is mostly the business of immigrants. How many interpreters/translators are born in this country? Very few, indeed NAATI's book suggests no more than a handful.

As the number of immigrants increased, the number of interpreters increased. Indeed, a few of them were full time public servants attached to the Department of Attorney General and located at the police offices at 98 Liverpool Street in Sydney.

During the 70s, many important attitudinal and political changes took place not only in Australia but in many other parts of the world. This was the age when minority issues became popular: TIS, Ombudsman, Anti-Discrimination Boards, Ethnic Affairs Commissions, Equal Employment Opportunity Offices were established, to name but a few .

As far as interpreting and translation is concerned, many bilingual officers were recruited to serve as interpreters or translators in certain newly established government agencies. The requirements for recruitment of interpreters, although, certainly did specify knowledge, fluency and ability to communicate in the two languages. Indeed, candidates had to pass a not so difficult test. Nevertheless, the major attributes for selection were the candidate's involvement with their language communities and their sympathetic views towards the ethnic minorities. The officers responsible for selection had no idea about standards of the profession and the general aptitude requirements for a good interpreter or translator. And how could they, or why should they? There were no guidelines to follow or a standard to adhere to. After all they were not looking for interpreters but rather bilingual information officers.

Many interpreters were finally selected. Some became attached to the then called, Community Interpreter and Information Service - and I stress the word "**community**"- of the Ethnic Affairs Commission which formed part of the Premier's Department. Others went to the Health Commission and were attached to the different regions of that department.

The mandate was to provide access for all N.S.W. citizens to participate fully in the social and political life of this State. Indeed, the first comprehensive document by the newly established Ethnic Affairs Department, which was tabled in Parliament in 1978, was called "PARTICIPATION". Interpreters and translators were seen as vehicles to facilitate the implementation of the recommendations of that document. None of the those newly established bureaucracies which were, and still are, an extension of Government policy towards migrants and the then fashionable ethnic issues, had a real comprehension about the volume of demand or real knowledge about professional standards. The interpreting and translation professions became inseparable from ethnic issues and government welfare policies.

Perhaps the most important issue in this hazy confused period, as far as the development of this profession is concerned, is the fact that Government authorities who were set up to assist in implementation of government policies suddenly became, quite innocently, defacto accrediting agency. EAC issued identification cards with labels and qualifications such as "Official Government interpreter translator". Even arbitrary levels were established: a level 3 EAC for full timers, for example, gave you a higher salary .

It did not take long before TIS followed and issued their own cards. Those departments, through planning or by default, began to see themselves as guardians of this profession and not only as employers of interpreters and translators. The profession of interpreting and translation on the one hand, and ethnic and welfare issues on the other, became blurred. **The cast was set again, the link between government authorities and this profession was re-inforced, indeed entrenched.**

Those with affiliation to authorities found employment either as full time or casual interpreters or translators and some prospered.This pattern by the way continues to the present time. As many of you already know, it is difficulty to be admitted to interpret in court, for instance, if you do not carry EAC or TIS cards, regardless how good or, for that matter, how bad an interpreter or translator you are. Not because any of these government agencies actively prevent you from doing so, but because the users of this profession which mostly includes other government instrumentalities such as the courts, the police, legal aid, health workers, social workers, schools etc, saw the interpreting and translation professions as ethnic and/or migration issues and linked the profession with other government departments. Perhaps one of the most critical aspect of this perception is that most interpreters/translators , myself included, saw ourselves as an extension of some government agency not as professionals. Example abound but I would like to mention few examples that come to mind to illustrate this point:

To illustrate how the users of interpreting and translation services view this profession, consider the decision only last year by RTA not to accept translations from any source other than from EAC and TIS. You can translate a driver's licence only as long as it is done through TIS or EAC. Your translation will not be accepted regardless of your competence level or accreditation unless it is done through these agencies. I am sure good arguments for this decision can be put by the RTA, nevertheless, this underscores the point that many users of the profession do not see interpreters or translators as individual professional practitioners but rather as an extension of government agencies involved in ethnic issues.

Another stark example is illustrated by the fact that during the past 9 years as a lecturer at the University of Western Sydney, I have asked every new interpreting and translation student on the very first day that I have seen them, "Why did you choose this program of study? Why do you want to become an interpreter or translators?" Unfailingly, every single one has said, "I want to help the poor migrants". This again illustrates that interpreters view themselves and their profession as an ethnic/welfare issue.

Sometime in the mid-eighties, during an induction course for new interpreters at the Ethnica Affairs Commission, I asked one aspiring but not too inspiring interpreter: "What will you do if during an interpreting assignment you find certain terminology confusing or you are not able to interpret?" The interpreter, who was not even an officer of the Commission, answered without the slightest indication of embarrassment or hesitation: "I will stop proceedings and ask the judge to contact Mr. Ginori." Now we all know that Mr. Ginori is quite famous, but it seems that the interpreter did not know that Mr. Ginori's reputation may have not extended to all judges! The interpreter was merely reflecting his own self-perception as an extension of a government department.

It should be emphasised, however, that government involvement in this profession is not necessarily bad, the sheer volume of interpreting and translation work available could not have reached this level without such active government encouragement and support. Similarly, those agencies have played a major role in uplifting of standards and generally placing the issue of interpreting and translation on many agendas. NAATI, for instance, could not have been established without government moral and, particularly, financial support .

With the benefit of hindsight, I can now see clearly the difficulties that such new departments had to face as far as this profession is concerned. Ethnicity suddenly became a beautiful word, everybody and every department wanted to be seen as being close to ethnic issues. The demands increased substantially and quickly; those departments supplying interpreters were placed in an almost impossible position of catering for an ever increasing demand and simultaneously coping with industrial issues, accreditation issues, department structures and procedures, etc. It was like unchartered waters led by captains and sailors who had never been to sea. The blind leading the blind, so to speak, but neither aware of the other's blindness.

We now travel forward to the nineties and beyond - the future - certain major changes affecting this profession have developed or are simmering .

The most important changes are as follows:

There is firstly the shift in immigration patterns and criteria to enter this country. Fewer migrants are arriving, the family reunion category is reduced, English language proficiency is now a requirement, and the demand for manual workers is no longer a criteria to migrate to Australia. All these factors are extremely important as far as this profession is concerned as the demand for community type interpreting and translation will be reduced.

Another important factor is the discovery by many organisations, both private and public, of the value of language as far as marketing is concerned. I refer here not only in terms of marketing of Australian products overseas but also marketing within Australia directed at certain ethnic communities in their language. The campaigns by Optus and Telecom are perhaps a good example here, and the recent successful tender by Telecom in Saudi Arabia, worth over $2 billion, is another example. This will result in a shift towards commercial interpreting and translation activity.

The third important change is the user-pay policies adopted by many, if not all, government agencies. This, despite government claims, has reduced and will continue to reduce the volume of work available to interpreters in the community interpreting and translation area particularly as fewer and fewer users in the public sector, schools; for example, can afford such services.

By way of conclusion and summary, and by way of projecting the future of this profession, I would like to offer the following points for your contemplation and debate, but before I do so, I would like to point out very strongly that the intention is not to turn this conference into a platform for industrial issues, nor to criticise, but to address you from this platform constructively and critically on issues of change, particularly on topics and matters which are rarely discussed. Therefore my summary conclusions and projections are:

Community interpreting and translation as we have experienced in the past is on the decline. Future translators and interpreters should adjust to this reality and find their future place, not being overly dependent on government.

I believe that there has been a disproportionate involvement by bureaucracies in this profession. This involvement was, and still is, unique to Australia up till the present time. I also believe this involvement has been constructive and a plus for this profession, inspite of its stifling effect at times. I do believe, however, that government agencies involved in this profession, because they are in such a central position, should begin to see that the future of this profession in this country is shifting to its proper and natural position as an industry and not as an ethnic issue.

Those agencies should assist and promote this by gradually disengaging themselves from the role of "guardians" of this profession. This disengagement is necessary not only for the future development and independence of this profession but also to assist greatly in altering the widely held perception in the community and amongst interpreters and translators , who will begin to view the profession as it should be:
"a profession, a worthwhile profession" and not an extension of government or welfare issues.

This disengagement is not to the detriment of those government agencies, indeed it is to their advantage. It will, to a large extent, guarantee their continued involvement in this profession instead of becoming gradually less important by default, as the profession or this industry moves to its new mature position in the future. Government agencies, in my opinion, should cease competing with private enterprise. The idea of advertising heavily by some government agencies, as is the practice lately, not only has some potential legal implications in terms of Trade Practices Acts and monopoly legislation, but it tends to reinforce the stereotyped view that ethnic and language issues are one and the same.

As with all government agencies, their role should be to encourage and promote industries, perhaps even to set guidelines and offer referral services. It is indeed difficult to draw exact parallels here, but I ask you to imagine the political implications if, say, the Legal Aid Commission were to advertise to the public that their solicitors are for hire. This is precisely what is being done now by many government agencies.

One of the most critical aspects of government involvement in this area is in the legal register. "Justice must be done and be seen to be done". If this is to be true, then interpreters who appear in court must be seen as independent and not, as is the case now, attached to a particular government agency.

The transition to a fully independent profession is heavily interwoven with politics. Other professions, such as real estate agents, social workers, librarians and others, went through difficult and transitional periods, although not necessarily as protracted or as complicated. Those professions finally settled within well defined rules and acts, and I feel we are gradually moving in that direction.

THE ADVANTAGES OF FORMAL I/T UNIVERSITY TRAINING

by Trang Nguyen

Many people believe that because a person is able to speak two languages, they are therefore competent to act as interpreters. In fact, this is not so, especially for court interpreting, where the legal terminology and concepts are very complex.

I would like to briefly describe to you what is going on in the minds of interpreters as mentioned in the book "Working with Interpreters in Law, Health and Social Work". Firstly, after hearing the sounds of the source language, they then have to figure out the exact meaning of the sentence in the source language, they also have to determine the right social, political, technical, psychological context in the source language. They have to visualise and memorise the message or take note, then determine the parallel context in the society of the target language and find the equivalent words in the target language. Finally, they have to transfer into the target language and produce sounds of the target language.

The most important thing that you should bear in mind is that interpreters have to render their interpretation as fast as they can. So the complicated processes that I have just mentioned should only take a split second under the pressure put on them in court.

This is an undeniably difficult task because a simple sentence when interpreted from one language to another may have different interpretations, depending upon the context. This is the reason why training and certification of interpreters have been developed not only in Australia, but also in many other countries such as Canada or the USA. This helps to maintain social justice and access and equity in a multicultural country like Australia. By providing professional training, we eliminate the element of chance from interpreting.

In Australia, in order to practice as an interpreter, people need to have NAATI accreditation.
NAATI accreditation can be obtained in 2 ways:
Firstly, by passing a NAATI test. According to NAATI statistics, success rate is about 10-20% depending on test levels.
Secondly, by successfully completing a course of studies approved by NAATI. This is the primary route to the profession.

The continuing stand-alone NAATI tests have more or less created some sort of competition with University and TAFE courses. It makes students like us stop and think why we have to do a 3 year course to enter the profession while others simply sit for the tests and get in. Even from the employers' point of view, they are not sure of the difference between interpreters who have tertiary training and those who are not trained at that level.

As you all know, in order to practice as legal interpreters we are required to have NAATI level 3 accreditation. However, the question must be asked is whether this accreditation guarantees competency as a legal interpreter. The NAATI tests sometimes have very few legal terms and in some tests there are no legal terms at all. In 1990, NAATI acknowledged that its tests were not customised for the needs of legal interpreting. It is obvious that it is very hard to test the knowledge of one person in about 1 or 2 hours. If you test a person's knowledge in 2 hours about only 2 topics in 2 dialogues and consecutive interpreting, how you can be so sure that he/she has knowledge in other fields as well. Another important point is that NAATI provides for permanent accreditation, with no requirement that interpreters undertake continuing education or upgrade their skills.

At the University of Western Sydney, Macarthur, we are more fortunate because we have a chance to learn thoroughly about the Australian social, legal, education and health systems as well as related terminology. Courses at this Uni offer benefits that testing alone cannot provide. Training includes legal proceedings and terminology, social security and health terminology, interpreting theory and practice as well as the ethics code of the profession. Some subjects such as English or Vietnamese as a working language help us to improve both our first language as well as our second language. We have a chance to practice interpreting at the College of Law, where during mock trials we are not only given opportunities to prove our own competence in providing accurate interpretation but also to demonstrate our ability to perform in the unpredictable atmosphere of a court setting.

All I can say is that the course has given us the knowledge , skills and attitudes that others may take a life time to acquire. If we compare our knowledge before and after this 3 year course, we see that we have improved significantly. I am sure that we will enter the interpreting profession with confidence and competence. I would like to use this opportunity to remind all prospective employers who wish to employ interpreters and translators of the saying: "If a person knows how to scramble eggs, it does not mean that they can make breakfast". In other words, using a professional interpreter is the only way to be sure that your message will be transmitted correctly; especially in the legal field where a mistake in interpretation may result in the discrediting of a key witness, meaning that the sentence could be heavier by a number of years or it could even result in a life sentence. I also want to remind all students of the course BA Interpreting & Translation of the saying :" The more you sweat in training, the less blood you spill in battle" especially as it is not only your own blood but also blood of other people.

To conclude, I would like to thank all of our course lecturers who have been very devoted to training us, and have prepared invaluable teaching materials so that we have the knowledge we need when entering the profession. The English vocabulary is enormous and with our limited memories and limited time available, assistance in choosing which terminology to learn is of great importance.

LITERARY TRANSLATION: A PERSONAL PERSPECTIVE

Dr. Madeleine Strong Cincotta

Abstract

This paper aims to explore the nature of literary translation and how it differs from other forms of translation. It discusses the practical difficulties involved in the career of literary translation as well as the challenges and satisfactions of such a career.

The difficulties addressed include suggestions as to how to get started, legal questions of copyright and the choice of the text itself. The challenges include such issues as cultural difference, specialised vocabulary, authors' use of plays on words, the translation of dialects within a standard language text, the interpretation and translation of ambiguities, the question of literary translation as an art form and the delicate balance between the translator's duty to accuracy and her/his duty to art.

The rewards mentioned include those of artistic creativity, co-creation with the author, language "play" and the possibility of material success

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Literary translation, as the name implies, is the translation of literature or other artistic texts such as film scripts or music lyrics, as opposed to the translation of explanatory prose such as information pamphlets, technical manuals, records, scientific papers, legal documents and the like. This is not meant to be an exhaustive definition, and of course, there will always be borderline cases where it could be difficult to draw a clear line between literary translation and other kinds of translation, but for the purposes of this paper, our definition will suffice. Some people also refer to "oral translation" or "simultaneous translation" such as that which is done at the UN. to facilitate the spoken communication between delegates or within the health or legal system of Australia to aid migrants of non-English speaking background. Let us rather call the translation of oral communication "interpreting", and limit ourselves to the written word, even if, as in the case of poetry or a film or theatre script, it is meant subsequently to be read out, spoken or recited. Thus, the primary difference between literary translation and other forms of translation is the question of artistic merit. While the form and the register are important even in other types of translation, eg. the accepted high register and specific form characteristic of scientific discourse may be required in an article for a professional journal, literary style and artistic merit are not usually important considerations.

There are basically two ways to approach a career in literary translation. Either you contact (or are contacted by) a publisher who contracts a work out to you for an agreed remuneration, in which case the original author and/or publisher usually retains the copyright; or you select a written work yourself and negotiate with the author and/or publisher to be granted the translation rights. In this case, you own the copyright to the translation and hence royalties are owed you on its sale, but this means that you, like the original author of any written work, must find a publisher interested in publishing it. This second method, however, has several advantages: 1) you retain complete freedom to choose which work you will translate, an important right because one's translation of material for which one has a sympathetic feeling, which somehow speaks to us and resonates within us, is almost always a better translation than one done simply to meet a contractual obligation; 2) if you are an unknown translator, it is very difficult to obtain a contract from a publishing company for any significant artistic work; and 3) if you deal directly with an author whom you admire but who isn't (yet!) on the best-seller list, s/he will often be so flattered at the idea of being translated, that you may be able to obtain the translation rights for free, in which case if your judgment is sound and the book is a success, you have the royalties to a best seller and your future as a literary translator is assured. These, of course, are general guidelines only, however, and when negotiating rights in any individual case, it is best to consult a solicitor specialising in arts law.

Literary translation is a very challenging activity. The first and very basic issue which arises is that of language competency, because not only a sound but an excellent command of both languages is required, even though normally translation is done from one's second language into one's first. It is absolutely vital to understand the subtlest nuances of both languages, and a large dose of humility is required because no one can know everything. Sometimes even the best of us will have to ask for advice. Arguably the most famous Italian/English translator living, the translator of "The Name of the Rose" and "Foucault's Pendulum", (just to name two of his best-selling books), William Weaver said when he visited this University in 1990 that he had "pets", that is, a pet priest, for example, whom he could contact to ask about all that monastic and Medieval priestly vocabulary that he needed for "The Name of the Rose". And it isn't only technical or discipline-specific words which cause problems. I recently came across a published translation of a short story by a very famous Italian author--who shall for the moment be anonymous in order to protect the identity of the erring translator--in which a young child was playing what according to the translator was called the ""Russian Mountains" game with her doting father. I pondered this mysterious activity for quite a while before realising that what they were playing was that game where a child perches on his father's bent knees and then slides down and is caught. Italian children refer to that as the ""Roller Coaster" game. The translator had fallen into the insidious trap of translating literally two words which he didn't realise had, when joined together, a very specific, if not exactly obvious, meaning.

One of the most difficult as well as the most common challenges to the translator is cultural anomaly, that is, when an equivalent word does not exist in the language into which s/he is translating, for the simple reason that the thing itself does not exist in that country or where the word exists but has a host of cultural connotations different from those of the original. A good example of the first is the French apartment house "concierge", or the Italian "piazza" which, lacking exact equivalents in English-speaking countries, are usually left in the original language in a translated manuscript and as such, serve to give local flavour and colour to it. Eventually many of this sort of words find their way into mainstream English. More difficult are words like "back yard" -- and here I am borrowing again from an example which William Weaver gave. In Australia or the United States almost everyone, rich or poor, outside the large cities lives in a house with a back yard. An equivalent word in French, Spanish or Italian does not exist because the average Frenchman, Spaniard or Italian does not live in a house with a back yard. Of course we could translate it as "jardin", "jardín" or "giardino", but that immediately puts us in the realm of the upper classes, and even there, the connotations of a grassy area possibly enclosed by a wooden fence is completely lost. Sometimes translators hoist the white flag, as it were, and add a translator's note, but except in a scholarly text such footnotes are supremely annoying to the reader as they interrupt the flow of the narrative and serve mainly to remind him or her of what is being lost in translation. It is similar to the time-hallowed excuse of the would-be raconteur: "Well, I guess you had to be there." The good literary translator has to strike a delicate balance between comprehensibility and truth to the original text and its local setting.

Similar to this difficulty is that involving the use of dialects. Many languages have surviving dialects or at least dialect traces which are sometimes used either to give authenticity to a very localised setting or to contrast one character with the others as to his/her origin, linguistic background or implied social status. In most cases, the use of dialects or dialect traces cannot be replicated in translation precisely because they are so distinctly and recognisably local. The effectiveness of using dialect elements in a Mandarin text, for example, to indicate the origin or social status of a particular character will be lost or even rendered ridiculous by any attempt on the part of the translator to substitute it with London cockney or Harlem slang. This would have to be one of, if not the only, example of the truth of that offensive Italian saying, "Traduttore traditore." (Roughly translated as "All translators must perforce betray the text.") In almost all cases, at least in this writer's opinion, the use of dialect in the original is untranslatable into a second language and if possible some other device must be found to accomplish the purpose of the author in choosing to make use of a dialect. If too much dialect is used and its use is central to the text, that text may be virtually untranslatable. Similar, but easier to deal with, is the use of words or phrases from a second language, particularly when this is the device the author uses to simply show the "foreignness" of the character or the character's use of "foreign" words in an attempt to display knowledge or sophistication or, on the other hand, silliness or stupidity. When, "Fawlty Towers" was translated into Spanish, Manuel spoke Italian. When, in order to show off his sophistication, the character in an English novel refers to a certain "je ne sais quoi", the French translation might well have "un certain 'something'".

One of the most difficult, but most "fun" challenges involve an author's using plays on words. These, of course, almost never coincide between

languages. Two examples, albeit non-literary, spring to mind immediately, the two advertising campaign slogans: "If it's not on, it's not on." and "You find the house and we'll come to the party." These, of course, involve slang or the idiomatic use of language, but many serious authors use this device. Let me give you an example from a short story by Luigi Pirandello. The situation involves a host attempting to persuade his reluctant guest to eat more despite protests that he (the guest) is "parco", that is, abstemious, moderate, temperate, frugal. The host replies, making a play on the word "parco", that that's all right because this is "porco", or "pork", so he should eat it. The obvious problem is that in English "pork" does not rhyme with or have anything else phonically similar to "abstemious" or indeed to any of its other translations. This is the stuff of translators' nightmares. Perhaps you can suggest a better solution. Mine was: "Only half, please... I simply can't manage... I eat sparingly..."
"Sparingly? Well, that's spare ribs! Eat!" In cases like these, the translator may take great liberties with the use of words in order to obtain the same effect, even if the subject matter of the play on words is completely different from the original. This is because it is the author's intention of playing with language which is paramount and not the meaning of the specific word used to do it. Some plays on words are not intended for amusement, but rather to highlight a serious philosophical point or to obtain a certain psychological effect upon the reader due to the connotations of the two or more different meanings of the word. "Coscienza" in Italian means both "conscience" and "consciousness". Pirandello's particular subjectivist philosophy makes great use of this, but in English the translator must decide in each case which meaning is more appropriate because there is no way to have both since such an ambiguity does not exist in English.

Similar to plays on words where it is obvious that the author has intentionally used the device, is the case of what I call "linguistic ambiguity". This occurs when the semantic field of a word in one language only partially coincides with its translation, so that while the denotation of the word may be exactly translated, the connotations cannot. Perhaps an example will make this concept clearer. In a prose poem from Giovanni Finzi-Contini's book *Atessa 1943* (in English *Tattered Freedom*, Leros Press, Canberra: 1994) the author uses the words "due cupi alfieri". The term "alfiere" has several meanings. It is a standard-bearer or ensign. (Think of the "alfieri toscani" with their colourful flag-throwing in medieval costume!) It is also, figuratively, a pioneer or forerunner. This is the literal meaning, the denotation, of the word in the context it is used. The appearance of the two German soldiers referred to as "alfieri" was the first evidence that the war had indeed reached Atessa. But there are two other meanings also inherent in the word in Italian. Historically "alfiere" referred to a rank in the Austrian army as well as to that chess piece known in English as a Bishop! In Italian Finzi-Contini uses the adjective "cupo" or "dark" to give a less positive, more sinister meaning, but of course a "dark forerunner" comes out much too symbolical and disembodied in English. "Standard-bearer" or "ensign" are terms which are much too positive in nature for the context and of course they lack the historical, almost medieval image that "alfiere" suggests. The term which I eventually settled on--to the author's delight-- was "black knight". This keeps a military tone, but a medieval one, as well as the chess connection and it has the sinister connotation of "something evil". The "forerunner" aspect was repeated in other lines in the poem so it could be omitted here, while the Austrian rank was lost entirely. "Traduttore traditore." But for the author, this was quite acceptable.

This brings us to another interesting, if sometimes challenging, aspect of literary translation. In some cases, the translator has the good fortune to be translating a living author who, first of all has at least a reading knowledge of the language the work is being translated into and second, is willing to make him/herself available to the translator for consultation. In these cases, resolving ambiguities can frequently be achieved by a few simple questions to the author, but even in these few and very fortunate cases, there may be hidden meanings, ambiguities and subtleties of which even the author him/herself is unaware. In such instances the translator must interpret the literature in the same way as any other literary critic and attempt to encapsulate in the translation as much of the hidden greatness as is to be found in the original. In most cases, however, the author is not available for consultation and the translator must have the courage to interpret the meaning and resolve the ambiguities on her own.

Above all, the balance must be maintained between faithfulness to the original text and the aesthetic or artistic merit of the resulting translation. Adapting an old Italian saying about wives to instead describe translations, "The trouble is that the faithful ones aren't beautiful and the beautiful ones aren't faithful." It is the task of the literary translator to produce a text which is both faithful as well as beautiful.

This artistic creativity is perhaps the greatest satisfaction of literary translation as a career, but along with it I must place the sheer fun of playing with language. The co-creation with an author of a new work of art is comparable to the creation and birth of a child; and although most literary translators earn their daily bread in some other way--such as being an interpreter or an academic, a few of us actually attain fame and fortune along with all the fun!

ENGLISH COLLOCATION: A TRANSLATOR'S PROBLEM

By Frank N. Trinh

As suggested in the title, my paper will deal with collocation, in particular English collocation, which poses problems for translators, particularly those for whom English is their second and weaker language.

Collocation is understood in many different ways and it is difficult to find a satisfactory definition which covers all the aspects of collocation. Authorities on the subject, such as Professor John Sinclair of the University of Birmingham, England, have even refrained from giving a definition as to what collocation is, whilst some linguists distinguish between grammatical and lexical collocations, and some do not.

For the purpose of this paper I will give the definitions on collocation of the two authors, Peter Newmark and Mona Baker, whose books on translation are being used as basic texts at my university (the University of Western Sydney, Macarthur), with the hope that these will help you to gain an understanding of this particular topic.

> '... two or more words that go 'happily' or naturally with each other; eg. ***pay a visit,*** *faire une visite (Fr), einen Besuch machen (Ger)* ***heavy labour,*** *travail musculaire (Fr), schwere Arbeit (Ger)'* (Newmark 1988).

> '... the tendency of certain words to co-occur regularly in a given language.' eg. English speakers typically say ***pay a visit,*** less typically **make a visit,* and unlikely **perform a visit.* When butter or eggs go bad they are described in English as ***rancid butter*** and ***addled eggs*** (Baker 1992).

I first became interested in the phenomenon of English words occurring together while working for the BBC World Service as a broadcaster and translator in the early 80s. It seemed that some words, such as *uphill struggle, runaway success, domino effect,* combined in seemingly unusual ways which would have made it difficult for me to translate into proper English, had I not had the knowledge of their existence through my work.

For the translator, translating into one's mother tongue is often considered less daunting than translating into one's non-native language. It is common practice that, when it comes to translation at international advanced level, translators are only requested to render into their language of habitual use, for the simple fact that the quality and accuracy of their work will be guaranteed.

The low success rate of Vietnamese NAATI candidates translating from Vietnamese into English is a good indication of the problems involved in translating out of one's native language. Over the three-year period between 1991 and 1993, of the 90 candidates who attempted the NAATI Level 3 Translation examination papers from Vietnamese into English, only 4 passed, ie. less than 5%.

The reason for failure was mainly due to their excessive errors in 5 out of 10 common areas, as expressed in the NAATI Code to Comments. These errors were in the form of, namely, too literal, too many grammatical errors, too many syntactic errors, too many mistranslations and unidiomatic usage.

From my own analysis of these areas of error, I will endeavour to show you that most of the problems associated with translation were really those of English collocation.

The following examples have been selected and simplified from the NAATI papers to illustrate the areas in which errors have been made by Vietnamese candidates.

1. **Thuốc men Giả**
[medicine fake]

Fake Pharmaceuticals

In the rendering of this phrase only one candidate out of ten completed this satisfactorily. The words "fake pharmaceuticals' produced such translations as "counterfeit drugs', "faked medicines', "imitated drugs', "false medicines', "falsifying drugs', "faking medicines' and "forged medicines'. The Vietnamese *giả* would be used to mean all the different ways that the word "fake' was rendered, however, the candidates showed that they were unaware of the correct choice of word which is expected to be used in speaking about medicines ie. "fake pharmaceuticals'. As can also be seen, there were grammatical errors such as "faking medicines, "imitated medicines', "falsifying medicines', and "fake medicines', even though these were semantically correct.

2. **một thực tế đáng lo ngại**
[one reality worth worry]

a worrying reality

The phrase "a worrying reality' was interpreted as "a worrisome reality', "an alarming situation', "a disturbing problem', "a fearful reality', "a troubling fact', "a scary reality', and "a worrying situation', which were considered to be non-idiomatic or mistranslation.

3. **chết một cách tức tưởi oan ức**
[die one manner unfair unjust]

to die an unnecessary and untimely death

The Vietnamese words to be translated were *tức–tưởi* meaning "unfair', and *oan–ức* meaning "unjust'. The translation of this phrase created problems for many of the candidates as the words "unfair' and "unjust' are not those which would commonly be associated with the word "death' in this particular context. Some of the translations were "innocent deaths', "unjust deaths', "sudden death', "unwilling death', and "undignified death'. These errors point to a too literal translation or mistranslation from Vietnamese into English. The interpretation of "unjust' also brought to mind that the victims would be innocent. This resulted in at least half the candidates using the word "innocent' or "innocently', when translating into English. The fact that this phrase was concerned with the death of children could have coloured the candidates' thinking in their use of the word "innocent".

4.	**thuốc**	**sốt rét**	**giả**
	[medicine	malaria	fake]

fake anti-malarial drugs

The translation of this phrase was semantically correct, however, most candidates made too literal a translation because in the Vietnamese text the word *chống* meaning "anti' is not used. Some of the translations were “anti-malarian', "faked quinines', "anti-malaria', whilst others neglected to write "anti' but just wrote "malaria tablets' or "malaria drugs'. Four candidates, however, did attempt to translate the phrase using the word "anti', unfortunately, their translations are grammatically incorrect.

5.	**Xe**	**lửa**	**Siêu**	**tốc**
	[vehicle	fire	super	speed]

the Very Fast Train (VFT)

This text was most likely a translation which was an adapted version from an English newspaper, and the candidates were attempting a back-translation. It was obvious they did not know about the VFT project in Australia, and therefore, translated too literally from Vietnamese into English. Translations of VFT included "Super speed Train', "Super-fast train', "Super Fast Train System', "Ultra High Speed Trains', "Express Trains', and "Supertrains'.

6.	**chúng ta**	**thường**	**liên**	**tưởng**	**đến**
	[we	often	link	think	to]

we usually think of

The translation here was very much influenced by the Vietnamese, because at least 9 of the candidates thought about adding to the phrase because of the Vietnamese words *liên-tưởng* literally meaning "link think' or "inter think'. This led to confusion and the following translations which were considered not to be acceptable: "We usually envisage', "We usually imagine about', "We often imagine', "We always associate to', "We always imagine to', "We used to recall of', and "We often thought of'.

It is obvious that grammatical errors also were very much a problem when deciding on which preposition to use, or in most cases, which preposition should be omitted.

7.	**những**	**xứ sở**	**mùa**	**đông**	**tuyết**	**phủ**
	[PLURAL	country	season	winter	snow	cover]

the countries covered in winter snow

Some confusion occurred here because the candidates did not think further on and realise that "countries' or "winter' cannot be capped with snow, eg.

"snowing winter countries', "snow-capped countries', "the countries with snow-covered winter', and "snowy countries'. Grammatical error occurred in "snowing winter countries'. There is also some doubt as to whether the combination "snowy countries' is typical. However, "snow-capped' combines naturally with "mountains' or "peaks of mountains'.

8.	**quê hương**	**của**	**loài**	**nho**
	[homeland	of	species	grape]

the home of different grape varieties

Translation of this phrase created a number of translations which were interesting. Only one translation was acceptable as the rest of the attempts were a "hotch-potch', and showed unidiomatic usage of English and grammatical errors. For examples, "Origin countries of different kinds of grapes', "Where plentys of grapes are grown', "the native countries of grapes', "the grapes-vine country', "the countries of grape species', "the habitat of grapes', and "the home of varieties of grapes'.

9.	**Mấy**	**năm**	**trở**	**lại**	**đây**
	[a few	year	come	back	here]

For the past few years

The Vietnamese translation for this phrase contained the words "a few year come back here'. It was, therefore, interesting to note that out of 8 candidates' translations of this apparently simple English phrase, only 3 managed to render acceptable translations. Some examples of errors were: "In a few years recently', "In the past years till now', "In the last recent years', "In a few recent years', and "In the last couple of years'.

10.	**đang**	**manh nha**	**một**	**phong trào**	**trồng**	**nho**
	[PROG.	germinate	one	movement	grow	grape]

a grape-growing movement has "sprouted'

The Vietnamese words were "being germinate one movement grow grape'. This caused the translations to be varied and subject to different renderings, eg. "this has sprouted a trend of grapes growing' and "peoples germination of planting grapes is still in movement.'

The words "grape-growing movement' were rendered as "a trend in growing grapes', "a starting point for the viticultural move', "a trend of grapes growing', and "a grapes grow there'. In some instances it would be difficult for the readers to understand what is meant because of these mistranslations.

11.	**khối**	**vật**	**chất**
	[mass	object	subtance]

masses of matter

No candidate correctly translated this phrase which relates to the universe and space. The Vietnamese translation included the words "mass' and "material' or "thing of substance'. Again, candidates translated into English in too literal a sense which resulted in the following: "groups of matter', "blocks of matter', "materialistic masses', "mass of objects', and "the whole block of substance'.

12. **người**	**thuận**	**thảo**
[person	hamonious	devoted]

an amicable person

In Vietnamese the word *người thuận thảo,* word-for-word meaning "person harmonious devoted', is uncommonly used. Most candidates were unsuccessful in rendering this phrase into in English. Mistranslations included "a man of credits', "a pious person', "a filial person', "a common sense person'. Other renderings such as "a harmonious person', "a concord man', and "a concorded person' are considered either unidiomatic or ungrammatical. In English we would say "a person who lives in harmony with others'. In English, the word "pious' infers that a person is devout and religious. The word could be construed as being appropriate but is usually not used in this context.

The word "filial' is a result of the Confucian influence on the Vietnamese language, which often refers to "filial piety' (devoted to the wishes of parents). In English we usually say "filial loyalty', however, it is not used in the sense of calling someone "a filial person'. It is interesting to note that the word "filial' is being used by broadcasters more and more, and perhaps with wider use, it may gain more acceptable popularity.

CONCLUSION

From the analysis of errors such as indicated here, and my further full analysis of all the texts, I notice that there are very few syntactic errors, and that the examiners probably have treated syntactic and grammatical errors as one area of error only. I also realise that the errors being made are a result of the candidates' lack of knowledge of English collocations, whether they be grammatical or lexical.

The implications for the training of students aspiring to be translators, particularly those translating into English, should ever be mindful of specific difficulties of learners with a particular first language background.

Out of the tens of thousands of English collocations recorded, it will be necessary to choose unmatchable collocations in the other languages and attempt to compile exercises and workbooks in each specific language. In this way, students will be able to be taught collocations according to their level of proficiency.

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APPENDIX

1.

Thuốc men	**Giả**
[medicine	fake]

Fake Pharmaceuticals

1. ____ counterfeit drugs
2. ____ faked medicines
3. ____ fake medicine
4. ____ imitated drugs
5. ____ false pharmaceutical products
6. ____ false medicines
7. ____ faking medicine
8. ____ falsifying drugs
9. ____ false medicines
10. ____ forged medicines

2.

một	**thực tế**	**đáng**	**lo ngại**
[one	reality	worth	worry]

a worrying reality

1. ____ a worrisome reality
2. ____ an alarming situation
3. ____ a worrying reality
4. ____ a disturbing problem
5. ____ a fearful reality
6. ____ a very worrying reality
7. ____ a troubling fact
8. ____ a scary reality
9. ____ a worrying situation
10. ____ a disquieting reality

3.

chết	**một**	**cách**	**tức tưởi**	**oan ức**
[die	one	manner	unfair	unjust]

to die an unnecessary and untimely death

1. ____ to die a sudden and undignified death
2. ____ to die an unwilling and unnecessary death
3. ____ to die an untimely and unnecessary death
4. ____ to die an innocent death
5. ____ to die a sudden death
6. ____ to die innocently
7. ____ to die an unjust death
8. ____ to cost many innocent lives
9. ____ to die an innocent death
10. ____ to die an innocent death

4.	**thuốc**	**sốt rét**	**giả**
	[medicine	malaria	fake]

fake anti-malarial drugs
1. ____ counterfeit anti-malarian drugs
2. ____ faked quinines
3. ____ fake malaria medicines
4. ____ imitated malaria tablets
5. ____ false anti-malaria
6. ____ false anti-malaria medicines
7. ____ faked malaria tablets
8. ____ falsified malaria drugs
9. ____ false medicines of anti-malaria
10. ____ forged malaria drugs

5.	**Xe**	**lửa**	**Siêu**	**tốc**
	[ehicle	fire	super	speed]

the Very Fast Train (VFT)
1. ____ Super speed Train
2. ____ Super-fast trains
3. ___ the VFT
4. ____ Super-fast Trains
5. ____ Super Fast Train System
6. ___ the Very Fast Train
7. ____ Ultra-High Speed Trains
8. ____ Express Trains
9. ____ Supertrains
10. ____ Super-fast Trains

6.	**chúng ta**	**thường**	**liên**	**tưởng**	**đến**
	[we	often	link	think	to]

we usually think of
1. ____ we usually envisage
2. ____ we usually imagine about
3. ____ we often imagine
4. ____ we always associate to
5. ____ we always imagine to
6. ____ we often think of regions
7. ____ we used to recall of
8. ____ we often thought of

7.

những	**xứ sở**	**mùa**	**đông**	**tuyết**	**phủ**
[PLURAL	country	season	winter	snow	cover]

the countries covered in winter snow

1. ____ the countries covered with snow in the winter
2. ____ snowy countries in Winter
3. ____ the countries covered with snow in Winter
4. ____ to snowing winter countries
5. ____ the countries which are covered by snow in the winter
6. ____ regions covered in Winter snow
7. ____ snow-capped countries in Winter
8. ____ the countries with snow covered winter

8.

quê hương	**của**	**loài**	**nho**
[homeland	of	species	grape]

the home of different grape varieties

1. ____ origin countries of different kinds of grapes
2. ____ where plentys of grapes are grown
3. ____ the native countries of grapes
4. ____ the grapes-vine country
5. ____ the countries of grape species
6. ____ the habitat of grapes
7. ____ the home of varieties of grapes
8. ____ the places where grapes originated

9.

mấy	**năm**	**trở**	**lại**	**đây**
[a few	year	come	back	here]

for the past few years

1. ____ for the past few years
2. ____ in a few years recently
3. ____ in the past years till now
4. ____ in the last recent years
5. ____ in a few recent years
6. ____ for the past few years
7. ____ in the last couple of years
8. ____ for the past few years

10. **đang**	**manh nha**	**một**	**phong trào**	**trồng**	**nho**
[PROG.	germinate	one	movement	grow	grape]

a grape-growing movement has "sprouted'

1. ____ a movement of growing grapes has already begun
2. ____ there has been a movement for planting grapes
3. ____ a movement of growing grapes is about to start
4. ____ a grapes grow there in the country
5. ____ people's germination of planting grapes is still in movement
6. ____ this have sprouted a trend of grapes growing
7. ____ it can be regarded as a starting-point for the viticultural move
8. ____ the trend in growing grape vines is growing

11. **khối**	**vật**	**chất**
[mass	object	subtance]

masses of matter

1. ____ blocks of matter
2. ____ groups of matter
3. ____ materialistic masses
4. ____ mass of objects
5. ____ the whole block of substance

12. **người**	**thuận**	**thảo**
[person	hamonious	devoted]

an amicable person:

1. ___ a person who lives in concord with others
2. ____ a man of credits
3. ____ a person who is pious
4. ____ a harmonious person
5. ____ a harmonious person
6. ____ a common sense person
7. ____ a filial person
8. ____ a concorded person
9. ____ a pious person
10. ____ a concord man

SUBTITLING

by Felicity Mueller

In this paper I wish to describe what I see as one of the most enjoyable and stimulating jobs connected with languages - subtitling. First I will look at subtitling itself as practised at SBS, where I work as a German Subtitler and Editor of Subtitles, and about some of the challenges which face us. I then will discuss the future of subtitling.

SBS set up its subtitling department in 1980, thus opening a window on the world.
Since then Australians of English-speaking and non-English speaking background have been able to enjoy foreign films in a much wider range of languages than previously. This has had its effect on Australian culture - the number of cinemas showing foreign films with subtitles has increased, the ABC has shown the occasional subtitled film, and video shops are reporting an increased, though still small, interest in subtitled movies.

What is subtitling?

Subtitling is the translation of dialogue - that is, the spoken language - into titles which appear at the bottom of the screen in a film or television program. The product is written, but it is the spoken word that is translated, following the speech rhythm of the speaker or actors. There are strict time limits, so a choice must be made of what can be included.. This means that subtitling is not simply direct translation or interpreting, but it involves elements of both. Then there is the visual aspect of the film: camera angle changes, body language, etc. must also be considered in writing and arranging a subtitled script. The best subtitles are unobtrusive and should barely be noticed.

Qualities needed by Subtitlers

Total comprehension of the source language is essential; not just of the standard language but of a variety of dialects, slang, half-finished sentences, puns, and sarcasm, to name but a few. The idiomatic language used in films can come from every conceivable environment, from theological concepts to a drunk in a pub to the illiterate Sardinian's conversation with his sheep.

Selection

Applicants for positions as subtitlers with SBS first sit for an audio test, where they translate different taped passages into English. Those who do exceptionally well in that test, thus showing a high level of comprehension of the LOTE and the ability to write a variety of styles in English, then sit for a 5-hour subtitling test. The successful candidate is then trained for 3-6 months by an experienced subtitler who constantly monitors their work.

SBS now has about 50 subtitlers and 14 editors of subtitles.
The main language groups are French, German, Italian, Spanish, Chinese (Mandarin and Cantonese) and Greek. SBS has a panel of subtitlers available for less common languages.

Native Speaker Proficiency
Most subtitlers are native (or near-native) speakers of the language which they subtitle and also have a high level of fluency in English. They are utterly familiar with both cultures and keep up-to-date by travelling to their native countries as often as possible. This is essential in view of the rapid changes in language and culture, particularly in countries such as post-Soviet Russia, reunited Germany, etc. which are already finding expression in films.

Subtitles done overseas
When you sit near a subtitler at a foreign film or the film festival, you may hear groaning which has nothing to do with the film itself. It is often because of bad timing, poor visibility (small white subtitles, frequently on a white background), inappropriate American slang (gotta, gotcha, etc.) and register. Overseas, subtitles are frequently 'spotted', that is, divided into time-coded segments by one person and then translated by another. Sometimes the translator does not even see the film. No-one appears to check or edit the subtitles. They are frequently done under time pressure for showing at a film festival. No wonder we groan. Yet in recent years the quality of overseas subtitles has improved, particularly that of subtitles for television. Many private companies use contract subtitlers who work at home using a personal computer.

Subtitling at SBS: collaboration between subtitlers and editors
At SBS the subtitler is given a film and does the timing and translation at the same time. We have deadlines and occasional urgent films, but we generally have ample time to prepare a good-quality script. When the subtitler has finished, the film is given to an editor, who generally does not know the source language. The editor may recommend changes in style, grammar or vocabulary which are then discussed with the subtitler in what we call a 'conf'. The subtitles are then 'offlined', that is, typed onto a floppy disk and imprinted onto a working copy of the film, and given to the subtitler and editor to correct. I believe that this process of consultation between subtitler and editor is a major factor in SBS's reputation for high-quality subtitles.

Use of Computers
In recent years we have begun using computers and Scantitling software, so that the subtitles can be made to appear on the screen as we are doing them. This has made our work much easier. The computer is programmed to beep at us when our lines are too long or we press the wrong key, thus forcing us to condense to keep within our limits! It is also much easier for the subtitler and editor to agree

on what 'looks' best if it is in front of them on the screen. And readibility and clarity are always our main aim.

Challenges

1. Time constraints

The subtitler first needs to see how much time is available and is then able to decide what can be included in the subtitle. The strict timing rules followed at SBS are as follows:

1 SECOND	1 WORD
2 SECONDS	1 LINE up to 26 characters
3 SECONDS	1 1/2 LINES up to 40 characters
4 SECONDS	2 LINES up to 52 characters

Because of the time constraints, a subtitler spends a lot of time condensing.

2. Condensing

A subtitler is generally well aware of the meaning in the film's language. The test, however, is how well those meanings can be condensed into the desired language in subtitles which can be read in the time available. For this reason, the subtitle cannot and indeed should not always be a literal translation.

If time is short, a choice must be made as to what is essential to the plot and what can safely be omitted. Or the meaning may be expressed in words which bear little resemblance to a literal translation. This sometimes disturbs viewers with a superficial knowledge of a foreign language, who feel somehow cheated if every word they understand is not visible on the screen. It should be stressed that subtitles are intended for viewers with no knowledge of the source language, not for bilingual viewers.

An example of condensing from a Hungarian film:

2 1/2 seconds: *I have to go to the weekend*
house. Won't you come with me?
(59 characters)
Up to 33 characters are allowed. This was condensed to:
I must go to the chalet.
Coming?
(32 characters)

In documentaries you sometimes have the reverse problem of someone who takes a long time to say something very simple. This may even happen in feature films or series. In *The Magic Mountain* an actor took 5 seconds to say the word 'blood'.

3. Research

There are frequently references in films which require research on the part of the subtitler, e.g. Bible quotations, literary references, or even the parts of a motor car. Subtitlers should be familiar with the background to the material they are working on and do any necessary research. In the film Profession Neo-Nazi, the main character refers at great speed to the theoretical works of Nazism, Rosenberg's *Myth of the 20th Century, Mein Kampf* and then a work called *Manifest zur Brechung der Zinsknechtschaft*. The subtitle shown at the cinema was *Breaking the Bond of my Interest Serfdom*, which was confusing, to say the least. Three translations of this title were found in various libraries, but we ended up leaving out the word 'manifesto' and choosing the title *Breaking the Yoke of Usury*. This was brief, clear, fitted into the 3 seconds available, and also conveyed the anti-Semitic flavour of the work and of Nazism in general.

3. Audio

People in films frequently hesitate, mumble and swallow their words or speak or shout over each other. They also often have their back to the camera.

The sound quality is frequently bad, especially in older films. In *Subtitling*, John Minchinton (1993, p.312) refers to a scene at the end of Pabstís film *Kameradschaft* where the dialogue is in German spoken by a French rescue team at the bottom of a coalmine, and everybody in the scene is speaking through a gas-mask. Thank goodness not all films are like that.

And fortunately we can ask our colleagues to listen - usually someone can understand.

4. The unexpected

One subtitler had to subtitle a talking bird in a Werner Herzog film. An Italian film, *Meri per Sempre* (Forever Mary), about a juvenile detention centre, has a scene in which a poem is quoted which contains 45 words for 'penis', many of which are in the Roman dialect. There are 33 words in the *Macquarie Thesaurus...* The rhythm of the poem is also important, so the subtitling certainly was a challenge.

Some Chinese statements are highly metaphorical and somewhat obscure. One sentence meant both: 'Rivers are not oceans' and 'Our families have been enemies for years.'

5. Tu - vous; du - Sie

Characters in films frequently address one another using the formal 2nd person plural at the beginning of their relationship and, as they become closer, change to the more intimate 2nd person singular. As this is difficult to convey in English, it is a perennial problem for subtitlers.

The future of subtitling in Australia

There is an increasing use of computers. We currently use them in 9 out of 22 subtitling booths. and are purchasing more. The other subtitlers and editors still use pencils and rubbers.

Home-based work was introduced in 1994 on a trial basis for subtitlers and editors, who can spend up to 40% of their work time at home. They use their own VHS equipment and are expected to complete a certain number of subtitles in their shifts. The trial has proven successful, with most of those involved happy with the flexibility and the time they save by not travelling. In the future there should be possibilities for subtitlers to send their completed texts to SBS by modem, but this may take years. However, the discussions between subtitlers and editors will still be held at SBS.

There is an increase in contract work - new subtitlers and editors will be employed on contracts. For unusual languages, a freelance translator or interpreter is currently given a contract to interpret the dialogue for a subtitler who does the timing and subtitling.

More commercial and outside work in subtitling and in other language services such as re-narration, corporate videos, subtitles into LOTE for government departments, advertising agencies and private firms, particularly in Asian languages. SBS has a large number of highly qualified staff, many of whom are also practising interpreters and translators. It also has a large number of freelance people to draw on and uses the *NAATI Directory* to look for casual interpreters in unusual languages.

English is, or is fast becoming, the main second language in Asia, too. It is anticipated that there will be many possibilities for English language subtitles, e.g. pay TV and videos. Studios may need to produce multiple language versions at the time of production. This would make subtitled versions immediately available for all forms of home video needs, including tape, disk, subscription and access through the information superhighway with 'dial-up' the language of your choice. The Asian market will be the most interesting one, as so many languages are spoken, and English is the second language of so many people. In India, for example, Doordarshan (DDI) is producing multi-language subtitles in eleven different languages. Indications are that developments in the design of advanced digital IRDs will soon offer consumers a direct choice of languages in their homes.

All this would indicate that subtitling has a promising future. As audiences become more sophisticated, it is to be hoped that they will continue to be interested in other languages and other cultures. Watching films with subtitles is one of the best ways to satisfy that interest.

AUSTRALIAN SIGN LANGUAGE: CURRENT AND FUTURE TRENDS

by **Peter Bonser**

Am the eldest child of profoundly deaf parents and so grew up with AUSLAN being the language of my home, not English. My work with the Victorian Deaf Society and the Deaf Society of NSW has involved me being a welfare worker/community worker, an interpreter, a mixture of the two and a manager of both areas.

Before we go on to look at current models of service delivery. we also need to understand why this issue is very topical and warrants attention. To achieve this it is necessary for me to give you a brief look into a bit of history and tradition.

The first organisations to offer services to Deaf people in Australia were schools for the Deaf and later to meet the needs of adult Deaf people came the Deaf Societies. Some of the Deaf Societies in Australia have already celebrated their Centenary and therefore have been providing services to Deaf people for more than a hundred years. The Societies began as social meeting places for Deaf people and eventually grew to become service providing organisations. The first services offered were welfare and interpreting services and these have grown to encompass other areas such as education and awareness issues, hostel and nursing home accommodation, independent living training and many others.

Deaf Societies exist in each State and the services offered have been very similar across the board. Deaf people are used to relying on the Deaf Society of their State for the provision of any assistance they may need throughout their lives. The welfare and interpreting work for many years was and in some States still is provided by the Welfare Worker or Community Worker at the Deaf Society. This was the way it was right up until the early 80s. Around this time accreditation of Deaf Sign language was made possible through NAATI (National Accreditation Authority for Translators and Interpreters).

In 1984 the Deaf Society of NSW decided to separate its welfare and interpreting services and began employing staff as either a Community (Welfare) Worker or an Interpreter. This was considered a rather radical move by some of the other Societies who were concerned about the need to "help" certain clients as well as interpret for them. The Deaf Society of NSW maintained its new position and if needed would send a Community Worker to an appointment as well as an Interpreter.

This approach to service delivery was discussed and debated by many for some time, all looking at the pros and cons of the "old way" v's the "new way". Thus began a process for Deaf people in NSW of understanding the differences between the roles of a Community Worker and an Interpreter and allowed those who had no need for "Welfare" support and only wanted Interpreting Services to have access to it. During this time freelance interpreters came into being for Deaf people and so the control of Interpreting services slowly began to move into other areas and it was no longer the sole responsibility of the staff at the Deaf Society.

The demand for Interpreters boomed and is continuing to grow and the need for appropriate training courses became glaringly apparent. Research into sign language also began during the '80s and in 1989 the first AUSLAN dictionary was published. In 1991 Auslan was recognised by the Commonwealth Government as a community language. The whole education scene for Deaf people began to change with more and more people taking up study at TAFE and universities leading on to more professional career paths and the need for more Interpreting services.

I must say, however, that change in the educational area for Deaf people still has a long way to go before it can be described as satisfactory and equitable.

The Deaf Community began to identify that their needs were more like those of people who were from non-English speaking backgrounds rather than those of people with a disability. The one variation to this view is that Deaf people will always be deaf and will always need the services of an Interpreter whereas people from other spoken language groups have their hearing and therefore have the potential to use spoken English.

It has traditionally been the role of the Deaf Societies to co ordinate and supply Interpreters for almost any situation. To give you an idea of the variety of situations an Auslan Interpreter can be called into, here is a list:

Interpreting Settings

- Legal
- Medical
- Mental Health
- Vocational
- Government Departments
- Financial Institutions
- Training Programmes
- Educational
- Public Meetings
- Religious
- Weddings / Funerals / Baptisms

The one area that varies from state to state is the educational area. Some Deaf Societies are not involved in co-ordinating interpreting services in this area at all, while others are.

Nevertheless, to provide such an extensive service costs a lot of money and Deaf Societies across Australia received some of this money from a combination of government grants, fees for service, bequests, donations and money from their own investments. Unfortunately it is usually never enough to fully cover the costs involved, and Deaf Societies therefore usually record deficits in their Interpreting budgets.

Apart from the need to have healthier looking budgets the following factors began pointing the way for further change:

* Accreditation of interpreters was being conducted through the same organisation that accredited interpreters from other community languages.

* Training programmes for Auslan and Auslan Interpreters were happening alongside other language interpreter training programmes in TAFE.

* Auslan was recognised by the government as a Community Language.

* Governments had started promoting their policies on equity and access.

In 1989, the Deaf Society of NSW began investigating the possibility of an even more radical change to the way interpreting services were provided than to the one they implemented in 1984. The aim was to negotiate the possible provision of interpreting services through the same organisations and departments that also provided services to other community languages.

This meant that, if this change were to take place, the Deaf Society for the first time would not be the only service provider of Interpreting services to Deaf people. It also meant that Deaf people would be on an equal footing with other non-English speaking people in the Community, that the government would be taking more responsibility for all people in the Community, and that Deaf people would no longer be totally reliant on a charity organisation that was traditionally linked to welfare services.

In July 1992, after negotiations with the NSW Department of Health, the provision of Auslan interpreting services to the public health sector became the responsibility of the Health Care Interpreter Service.

In July 1993, again after negotiations with the Ethnic Affairs Commission of NSW, the provision of Auslan Interpreting services to the Courts and State government departments is now undergoing a trial with the Commission which will conclude at the end of June. Hopefully, the Commission will then retain the service on a permanent basis.

Naturally, as people go through any major change, there is some disruption that exists until people become familiar with the "new way". The "new way" is that the provision of AUSLAN interpreting services comes from the same source as other community language interpreting services. The "old way" is through the Deaf Societies.

The "new way" of service provision promotes a more specialised approach to the provision of Auslan Interpreting, where interpreters can choose their employer and their area of interest. It also provides more professional development opportunities and access to courses of study in their chosen area of interest, e.g. the medical terminology course offered through the Health Care Interpreter Service.

The question that this paper poses is whether or not the "new way" is better than the "old way" and, if it is better, then I hope that other States will take a similar view and commence the process of change that has begun in NSW.

ACCREDITATION AND REGISTRATION IN THE FUTURE

By: **Skender M Bregu - NSW Regional Officer - NAATI**

Please allow me to put on my special hat of clairvoyant. As I gaze into my crystal ball the picture, although not quite clear, tells me that a number of issues will be confronting the interpreting and translating world, and NAATI, too, will have to deal with these.

As we come into the year 2000 the question of professionalism will gain more and more importance. The increasing need for conference interpreting and translating will be a driving force requiring higher quality input from the I/T professional. NAATI and the I/T profession, together with the other professions, will need to make greater efforts in dealing with the requirements of court interpreting and health interpreting in particular, as the importance of these increases.

With these trends comes an ever increasing need for the I/T profession to deal with the perceived problem of unprofessional and unethical conduct.

At present, as an accreditation body, the National Accreditation Authority for Translators and Interpreters has no power to curtail unprofessional or unethical conduct of I/Ts, whether they be NAATI accredited or not.

During my two years with NAATI I have had to explain this to many persons who blamed the organisation for allowing "...these unethical and hopeless people to practise in the field...". Which I must admit, made quite a change from the more usual accusation of NAATI "...not letting me work as an I/T and yet I'm good!"

I have come to believe that as an organisation NAATI is in a no-win situation, yet the system is under constant scrutiny to ensure that it remains in touch with the reality of the I/T world.

Just like a university, once NAATI has awarded a qualification, in this case accreditation, it has no power to withdraw it. However, unlike a university or tertiary institution, it finds itself with the unenviable task of having to judge a person's capabilities often on only one test, which will always be conducted in situations which are not "real-life". I would like to say here that it is my personal belief that the NAATI tests are, if anything, too easy.

It is expected that changes to the test format will be introduced in the future, however there is no doubt that not all will find them to their liking. One option, I hope, will be considered is that a requirement for evidence of proficiency of the languages be introduced prior to accepting an applicant for a NAATI I/T test, possibly in the form of an English and LOTE proficiency test at a specified level of fluency.

There is also an obvious need for NAATI candidates to know what is expected from an I/T. I have suggested that candidates, prior to sitting a test, be required to have an interview with a reputable practising professional to gain information and advice on the realities of I/T and on their chances of passing a test.

One requirement I feel should be introduced is that candidates be allowed to sit for a test only after having attended a preparatory course... and this would apply also to any person seeking Recognition in a rare language.

The introduction of any of the above requirements would undoubtedly reduce the number of people sitting NAATI tests and this would have some effect not only on NAATI but also on I/T service providers. For NAATI this might mean a greater efficiency in administration and a better use of existing resources. For service providers this should mean better I/Ts.

It is, however, the introduction of a system of Registration which will have the most profound effect on the profession. Let me say that it now appears that the Governments are showing some intention to pursue the establishment of some form of Registration, and at this very moment moves are being made to look at how to set up the system.

The Federal, State and Territory Governments, which are shareholders of NAATI, have asked that a non-legislated, non-exclusionary Registration system be developed and that it be implemented in the very near future.

Such a system would basically operate along the lines of the CPA (Certified Practising Accountants) rather than the Law Society or the AMA (Australian Medical Association). This in effect means that there would not be any formal barriers set up to impede an unregistered I/T from practising.

Will such a system work? What will be the real problems in such a system being effective as well as efficient? Which will be the perceived problems?

In my mind I find that such a system can work if a major marketing drive is involved in educating the public and service providers as to the reasons for using registered I/Ts. Unless the user of an I/T professional accepts that registration has some real effect on the quality of an I/T's abilities and ethical behaviour, the system will be ineffective.

The system is based on the assumption that users of I/T services will see registration as standing for higher standards... on the other hand, that the failure of an I/T to obtain or seek registration is tantamount to lower quality in professional and/or ethical performance.

Let me say now that I believe that there are many vested interests working against the introduction and acceptance of registration, regardless of the type of system to be implemented.

Do all agencies really want better I/Ts, whom they might have to pay more? Does the user really want to pay more for I/Ts, for the mere fact that they might be better? Do I/Ts themselves want a system of registration?

What if I told you that I thought that a large proportion of currently accredited I/Ts might not remain registered say, three to five years after the introduction of Registration?

There are many reasons which lead me to believe this. In my role of Regional Officer of NAATI I am quite regularly made aware of instances of perceived unethical behaviour on the part of I/Ts... some of these may well be justified and will have to be dealt with under a registration system. There are then situations which are brought to the attention of people in the field of I/Ts performing at a lower than acceptable level in terms of language proficiency. What then of those I/Ts who do not practise regularly enough to maintain their skills, or those who do not keep up a sufficient level of professional development - surely a requirement of a registration body?

I have often heard that NAATI and the Government is interfering in the profession, that it should be left to 'market forces'. Yet no one has given me a satisfactory explanation of what they mean by 'market forces'. The situation as it stands is that we have been relying on the 'market forces' for some decades, yet the profession is not perceived as being able to effectively regulate itself and ensure the delivery of higher quality services.

I have some understanding of, and can accept, the argument that, in some cases, '...accreditation is not relevant to my situation...' I do not however accept the argument that, just as accreditation is irrelevant to a particular situation, so is registration, and therefore no such system should be introduced.

The basis on which the first argument is built is that '...I'm too good for accreditation. In the I/T field in which I work it is not relevant'. Let me just say here as an aside that, if one is so good, why not become accredited? Surely in such a case passing the test should merely be a formality.

Such argument however does not hold for registration. If I am really as good as what I believe, I should be the first to argue for a system which will allow me to work without having to contend with unqualified, unprofessional, incapable and unethical persons who purport to be my colleagues.

Registration may be a reality within six to twelve months. If it is set up as a non-legislated, non-exclusionary system it may or may not be successful.

Its success will depend on the will of the I/T community to make it a success. It will depend on the will of the I/Ts who really believe in offering ethical services of the highest possible quality. It will depend on the effort, both financial and otherwise, invested in marketing the new 'symbol of quality in I/T'.

In other words, it will depend on you and me , whether we be an I/T, a provider of services or an agency, or a user of I/T services.

It will also depend on the will of the Government and other organisations as to whether they really want the best, and are willing to pay for it.

In the end I ask myself: does the Government and the public want poor quality doctors? Do private organisations and the Government want to use poor quality accountants, poor quality solicitors, poor quality managers? The answer is yes, if they are willing to remunerate their services with low salaries. For poor remuneration, although this may not be the time and place to enter into the argument, is undoubtedly a major issue which has led to the decision by many a capable I/T to leave the field, in particular the area of community interpreting and translating.

Do the users and suppliers of I/T services want low quality interpreters? Till now I would answer in the affirmative... from now on only the future will tell.

Accreditation has been, and registration may soon become, integral parts of the I/T profession in Australia. The success of these in combining to bring about a leap in quality in the delivery of I/T services is paramount if a high standard of professionalism, and consequently of all the related entitlements which go with the title, is to be reached.

More importantly, it is the public perception of the profession that must be fostered. Our image must become that of professionals with whom people feel comfortable to work.

Let us not fool ourselves! Without effective accreditation and registration systems we will never truly be, nor will we be seen to be, members of a profession.